

**REAUTHORIZATION OF AND POTENTIAL REFORMS
TO THE LAND AND WATER CONSERVATION
FUND (LWCF)**

HEARING
BEFORE THE
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
ONE HUNDRED FOURTEENTH CONGRESS
FIRST SESSION

APRIL 22, 2015



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REAUTHORIZATION OF AND POTENTIAL REFORMS TO THE LAND AND WATER CONSERVATION FUND (LWCF)

WEDNESDAY, APRIL 22, 2015

U.S. SENATE
COMMITTEE ON ENERGY AND NATURAL RESOURCES
Washington, DC.

The Committee met, pursuant to notice, at 10:03 a.m. in Room SD-366, Dirksen Senate Office Building, Hon. Lisa Murkowski, Chairman of the Committee, presiding.

OPENING STATEMENT OF HON. LISA MURKOWSKI, U.S. SENATOR FROM ALASKA

The CHAIRMAN. Good morning. We will call this hearing to order. We have several votes scheduled in less than an hour and obviously a great deal of interest in this topic this morning, so I would like to get started as quickly as possible.

I want to thank you all for being here as we meet to consider the reauthorization and reform of the Land and Water Conservation Fund Act. I think it is fitting that we look at this Act today given that today is Earth Day. Over the past 50 years it has played a key role in creating our nation's world class State and Federal outdoor recreation system.

I fully support reauthorizing this Act this year in a way that reflects the changing needs and evolving viewpoints about conservation in the 21st century.

We have a lot to cover today, so let's begin first with land acquisition. In its first 50 years this Act was largely focused on building a recreation system. To do that Congress agreed that it was necessary to acquire lands at both the Federal and the State levels. Back then LWCF land acquisition was largely expected to occur in the Eastern states. Even 50 years ago there was a strong recognition that we should focus on areas with a lack of public lands and therefore, fewer opportunities to recreate.

The Senate and the House Committee reports made that point, and the Act itself includes an express spending limitation for the Forest Service. The agency cannot spend more than 15 percent of its LWCF funds to acquire lands west of the 100th Meridian. However, over the years we have seen both congressional intent and limitations ignored. The Forest Service, for example, has spent almost 37 percent of its LWCF funds on land acquisition in the West. Now I am not opposed to reasonable and justified acquisitions, but coming from a state like Alaska where close to 63 percent of our

lands are already held by the Federal Government, I do approach the need for additional Federal purchases with some skepticism, particularly when we are dealing with tough budgetary times.

It seems counterintuitive, particularly in Western states with high percentages of public lands, to add more to what we already have and already struggle to properly care for, except perhaps when there is a case to be made that the acquisition would reduce long-term administrative costs. I think we recognize that makes sense.

As we meet today the Federal Land Management agencies face a growing maintenance backlog, about \$22 billion in total, and more than \$11 billion of that is at the National Park Service. As we look to reauthorize LWCF, I believe that it makes sense to shift the Federal focus away from land acquisition, particularly in Western states, toward maintaining and enhancing the accessibility and quality of the resources we have. This is the best way to put our nation's recreation system on the path of long-term viability.

Now some have said that using LWCF dollars for maintenance is inappropriate, but I would just direct you back to the act itself. The act states that it is not just about the quantity of recreation resources. It is also about the quality of those resources.

Using LWCF moneys for maintenance activities is not new. From FY98 through Fiscal Year 2001, LWCF was used to address the maintenance backlog at all four land management agencies. I strongly believe conservation in the 21st century must include taking care of what we already have, what we choose to conserve first instead of simply pretending that more is always better.

We always talk a lot about access to our public lands, and we have been looking at different ways to use LWCF funds to increase it. This is another area that is of particular interest to me.

Many of Alaska's really prime recreation resources are accessible only by plane or by boat. So access is not just about land acquisition. It is also about development of recreation facilities like boat launches, trails, and roads. These are the kinds of facilities that are a critical link between users and otherwise inaccessible lands.

We also need to recognize that bringing land into Federal ownership does not always equate with making it accessible to the public. You have heard me talk here in this Committee about the situation with a day care provider with little children, four, five, and six year olds, who went out on a picnic in the Tongass, and the day care provider was fined by the Forest Service for not having a permit to utilize the picnic table.

The Federal lands access provision's also one of the primary and most popular provisions in the bipartisan Sportsmen's Act that I have been working on with Senator Heinrich. There are many access-related issues we can focus on this year.

I have, again, brought up before the Committee my efforts to allow small scale filming on public lands to continue by making sure that they have access to filming rather than be denied access.

For LWCF I would like to see greater emphasis on conservation easements rather than fee acquisitions so that we can continue lands as working lands and ensure public access.

When we talk about the Land and Water Conservation Fund Act these days it is almost exclusively discussion about Federal land acquisition, and that is a little disappointing to me.

Many seem to have forgotten the pivotal role that states have in conservation and outdoor recreation under the Act. From the start the Act recognized that states were the lynch pin and provided Federal funding for state grants for recreation planning, land acquisition and development. The state grant programs require a 50/50 match. In some cases the states exceed this requirement so that every Federal dollar is highly leveraged. On the state side these dollars go to outdoor recreation facilities near where people actually live from local city playgrounds, baseball fields to local fishing holes in state parks that clearly rival some of our national parks.

From the start LWCF monies were to be allocated each year so that Federal agencies would receive no less than 40 percent and the states, the remainder. But once again, with over 85 percent of LWCF funds going to Federal land acquisition it is clear to me that we are not meeting that congressional intent. This has happened even though states have been strong, public advocates of public access and have worked with our sportsmen and sportswomen to provide hunting and fishing and recreational shooting opportunities on our Federal and State lands.

The current approach also ignores an area where states can and are doing a good job.

Alaska State Parks is the largest state park system in the country. It is our state's largest provider of recreation facilities such as public campgrounds and it boasts twice the visitation of Alaska's National Parks. So instead of leaving them on the sidelines, I believe that states need to be given the opportunity to lead here. States are in the best position to understand and accommodate the needs of our citizens and not every state has access to Federal recreation resources.

Now there are some who attempt to minimize the roles of the states in land management, and there is an attempt to drive a wedge between those who work and recreate on public lands. In fact some have tried to politicize an amendment that I offered on the budget several weeks back that would provide a budget reserve fund for Federal land transfers and exchanges with the states.

Now those who are not from the West may not realize it, but this Committee effectively serves as a real estate exchange for the West. Buying and selling land often takes, literally, an act of Congress. These types of transfers and exchanges both with the states and private parties are the means of maximizing the value of public lands for hunting and recreation while allowing Western communities continued access to those lands best suited for multiple use.

Ironically these same entities that have criticized the budget amendment have praised the public lands package that I negotiated and fought to include on the NDAA bill last year. That package struck a balance. It designated new parks and conservation units and transferred and exchanged land for development. It designated new wilderness as well as releasing wilderness study areas.

Advocates of conservation and development both recognized that this type of balance was necessary to move significant legislation, and that package almost fell apart over budget issues. Facilitating that type of a package was exactly, what I had in mind with the budget amendment.

So I do look forward to the discussion about how we deal with Land and Water Conservation Fund and its reauthorization, but I think that there clearly and fairly are good issues to be discussing here. As we begin those conversations I do hope that they will be productive and constructive as we work to address areas of significant interest and concern.

I have taken longer in my opening statement than I usually do, but I felt it was important to lay out some of the history of this very, very significant act, its purposes, its design and where, in my view, we have failed in adhering to the sum of the contours of that.

With that, I turn to my Ranking Member for her comments this morning.

STATEMENT OF HON. MARIA CANTWELL, U.S. SENATOR FROM WASHINGTON

Senator CANTWELL. Thank you, Madam Chair and thank you for scheduling this important hearing today on Earth Day to review the Land and Water Conservation Fund which is one of our nation's most successful conservation programs.

I want to say at the outset that I know my colleague, Senator Wyden, is unable to be here this morning because we are starting a markup in the Finance Committee on the Trade Promotion Act which will also pull me away at some point in time this morning. But he is a big supporter of the Land and Water Conservation Fund, and he and I are co-sponsors of legislation to permanently reauthorize this and provide certainty to funding.

In addition, we will add his statement to the record and very much appreciate his leadership on that.

[The information referred to follows:]

**Sen. Ron Wyden Statement for the Energy and Natural Resources Committee Hearing
April 22, 2015**

M. Chairman, thank you for allowing me to submit these remarks for the record. This is such an important subject that I had to have the voices of Oregonians heard on it. As such, I have for the record, in addition to my statement, letters from Oregonians in support of LWCF – including letters I have received over the past year in support of the program, letters directed to the Committee, and letters from several veterans explaining the importance of the outdoors and LWCF to combat veterans and their families.

The Land and Water Conservation Fund (LWCF) is a critical tool for protecting our nation's public lands and providing access for the outdoor activities that so many Americans enjoy. In Oregon, hunting, fishing, and camping are ways of life, and the LWCF has been ensuring that people have outlets for those activities for fifty years. Since its inception, LWCF has proven to be a rewarding investment for the places that make this country special, for the people who benefit from access to those places, and for the local economies that host these truly remarkable resources. LWCF not only helps protect the environmental health of these places, but it leads to human health benefits as well: Clean air, clean water, and the mental health benefits of getting outdoors are great examples.

Well over 50 percent of the sources for clean water in the United States start on public lands. The 85 percent of our U.S. population that lives in urban areas relies on those water sources and LWCF has ensured their protection over time. In addition, programs like Vet Voice, which has supported the LWCF for years, help get our military veterans out into nature with their families to enjoy the lands they have fought so hard to protect.

I am sure there will be a robust debate today about future funding for LWCF and proposed changes to the program, and I will submit questions for the record for the witnesses, but I just want to make a couple of quick points.

First, it's disappointing that LWCF has been authorized at its full \$900 million since 1976, yet in most years, the program receives far less than that. LWCF is funded through revenues received from oil and gas leasing – meaning it does not rely on taxpayers to fund this critical program. And over the years roughly \$35 billion has been directed to the program but less than half of that, only around \$16 billion, has actually ended up being appropriated for use by the LWCF program, since 1965. Making LWCF a mandatory program and fully funding it every year, which is what the bill that Senator Cantwell and I introduced would do, will allow the benefits of the program to be fully realized and would be a shot in the arm to local economies that support outdoor recreation.

Some have suggested that LWCF should be directed more toward paying for maintenance backlogs than land acquisition. I hear my colleagues' concerns about caring for the land we already have. I share those concerns, but we have one major law for special, unique land acquisition and a myriad of laws for operations and maintenance. Let's keep LWCF for its unique purpose. And let's work together in a bipartisan manner to fix or beef up those operation and maintenance authorities.

I fully support the need to catch up on the National Park operation and maintenance backlog, and intend to look for ways to take care of that \$11 billion debt. But raiding the LWCF is not the way to do it. Raiding the LWCF will simply result in lost opportunities, for the purchase of inholdings, for instance, that will cost us more in the long-run. Another example is the importance of the Forest Legacy Program – a part of LWCF. Let me quote from one of the letters submitted for the record from the commercial timber industry: “The Forest Legacy Program has led to the conservation of over 2.2 million acres of working forest lands, primarily through conservation easement purchases, with almost 50 percent of project costs leveraged from other non-federal sources. FLP is a voluntary conservation program that brings together federal, state and private partners to achieve the common goals of protecting and maintaining forest jobs, recreational access, wildlife habitat and clean water.” Laudable goals, all.

The success of LWCF is evident and its impacts on local communities are profound. Just yesterday, I was notified that a northeast Portland neighborhood would be getting a brand new park and soccer field thanks to LWCF, which is great news for that community. And across Oregon and the country LWCF has helped secure public access to federal and state lands for sportsmen and hikers and has helped protect miles of trails, wildlife habitats, and critical watersheds. Success stories like these are why LWCF works. Fully funding the program, and keeping its current mix of authorities and flexibilities, will allow for future land acquisitions, even more state grants, and many more success stories.

I look forward to working with my colleagues in a bi-partisan manner to reauthorize and fully fund this important law. I ask unanimous consent that my statement and the accompanying letters be entered into the record for this hearing.

Senator CANTWELL. In the 50 years since this act was first put into law, and I should point out by Scoop Jackson of Washington State and as a suggestion by then-President Kennedy, if you look at the original focus of the Land and Water Conservation Fund, it was really in the 60's as the country started to urbanize and to grow in population, people wanted to make sure that we were setting aside lands in those growing areas. So I am sure for some of my colleagues that represent more rural states or less densely populated states, the concept of Land and Water Conservation Fund might not be as prevalent for them.

But I can walk around the State of Washington today, particularly within Puget Sound, and point to various parks and recreation areas that exist within the urban center that are great examples of preservation made possible by the Land and Water Conservation Fund. They have made the urban center a possible place to work and live and recreate. That is what is so important to me about the Land and Water Conservation Fund. To me, this hearing this morning is about our relationship to stewardship. We should remember on Earth Day that Earth is lasting a lot longer than all of us, and the question is what good stewardship we provide in the meantime.

So this iconic program that has helped protect many of our nation's most iconic and most popular national parks, forests, and public lands is, I think, a treasure in itself. The fund has provided countless opportunities for hunting and fishing and other recreation uses, and it has helped support state and local conservation.

Many of us with significant public lands in our state have seen the impacts of protecting these landscapes and providing for outdoor recreation which brings strong economic benefits. The Outdoor Industry Association has estimated that outdoor recreation supports more than 6,000,000 jobs nationwide and generates almost \$650 billion annually in direct consumer spending. I hate to say that I am a frequent user of REI, and probably have contributed somewhat to that number myself.

In Washington State, visitors to Federal lands in the state spent over \$1.3 billion last year. So protecting our public lands is not only good for our environment, but also good for our economy, and that includes many of our small, local businesses.

I think it is helpful to keep in mind the history of the Land and Water Conservation Fund and its funding mechanisms. A few years ago, after the fund was enacted, it became clear that the initial funding sources would not be sufficient to fulfill the tremendous demand for land protection and for development of new recreational opportunities. As a result, Congress amended the law to direct a portion of the revenue from oil and gas development on the Outer Continental Shelf (OCS) to the fund.

The concept behind linking OCS to the Land and Water Conservation Fund was based on the principle that a portion of revenues obtained from the depletion of non-renewable resources belonging to all Americans should be dedicated to preserving other natural resources of lasting benefit to the nation. It was a sound concept then and is one that we should continue to adhere to today. But as the matter now stands, unless Congress acts to extend that authorization, the authority to credit the Land and Water Con-

conservation Fund with OCS revenues will expire at the end of this fiscal year. That is less than six months from now.

So I want to make clear that I will do everything I can to make sure that funding for one of the most successful conservation programs will not lapse. I have introduced legislation, as I mentioned, with Senator Wyden and others to permanently reauthorize the Land and Water Conservation Fund and to explore opportunities to move that legislation forward. There has already been a strong vote for the reauthorization of the Land and Water Conservation Fund earlier this year on the Senate floor, which I think is evidence that there is broad bipartisan support for this program.

So I hope that today's hearing will be a good first step in helping us find a way forward toward reauthorization. I know there are concerns that our nation should not be acquiring land while land management agencies have backlogs of deferred maintenance. Observers of this Committee know that the Chairman and I do not always see eye to eye, but I hope that she and I can work through this issue. I do not believe that we have to choose between one or the other, and I hope that we can work together and find a solution.

The National Park Service deferred maintenance backlog is the most often cited example of the agency's maintenance needs, and I agree we must find a way to increase maintenance funding. But it is a mistake to assume that the only funding options we have are between land acquisition and maintenance.

So, in fact, funding for maintenance is already authorized and every year the land management agencies receive appropriations for maintenance activities. So there is not a need to force maintenance activities to compete directly for Land and Water Conservation Fund dollars. Nearly half of the Park Service's estimated backlog is attributed to needed repairs for roads and highways within the National Park. The single biggest improvement we could make in reducing the maintenance backlog would be to increase the funding level in the Transportation bill for park roads.

So I think it is also important for our colleagues to recognize that the fund is already a flexible program that offers many different tools to enable us to protect and improve public lands. The program is most well-known for allowing Federal land management agencies to acquire land within the boundaries of designated conservation areas, for helping to protect wildlife habitat, and for providing new opportunities for hunting and fishing and recreation.

In addition, over the past 50 years the Land and Water Conservation State Assistance Program has provided over \$4 billion through 40,000 matching grants to states and local governments for the acquisition and development of public outdoor recreation areas and facilities. In recent years, the Fund has increasingly been used to conserve private lands as well. For example, the Forest Legacy Program, which helps pay for protection of these privately-owned forest lands. I can tell you that I hear a lot from a variety of groups in my state about their support for that. Similarly, cooperative endangered species grants provide funding to states to help protect threatened and endangered species. Furthermore, over the past decade roughly half of the Land and Water Conservation Fund expenditures have been for conservation pro-

grams directed by state and local governments rather than for traditional Federal land acquisition.

So I do want to say I support both Federal and State programs and continued funding for both Federal and State programs.

For those that are questioning whether enough funds are being directed to the state program, I think it is important to remember that under the Gulf of Mexico Energy Security Act, better known as GOMESA, the states will be receiving as much as \$125 million each year in mandatory funding, not subject to congressional appropriations. So while I definitely want to see something more permanent to make sure that funding is spent in the Land and Water Conservation Fund, I strongly believe that Federal expenditures need to be part of the equation.

So again, there are not many programs that I think provide more tangible results than the Land and Water Conservation Fund. I believe our nation can afford this level of investment. As I said at the beginning, it is about stewardship.

It is about stewardship. It is not about what opportunities we take for today, but it is about what stewardship we are going to provide for the future. I hope all of us on Earth Day will think about stewardship.

I thank the Chair for holding this important hearing, and I appreciate the witnesses making themselves available for this subject today.

Thank you.

The CHAIRMAN. Thank you, Senator Cantwell.

With that, let us begin with our witnesses. I will introduce each of you. We will proceed here from my left beginning with Mr. Connor and go down the table.

Given that we have two votes at 10:45 it is the intention of the Chair that we will hear from our witnesses. We will then proceed to ask questions of five minutes each, but we will keep the Committee moving, and therefore, we will not adjourn for votes.

So pardon the jack-in-the-box exercise, but we are multitasking here today. We appreciate not only your indulgence with that but your willingness to come before the Committee and provide your testimony.

We will begin with the Honorable Michael Connor, who is the Deputy Secretary for the U.S. Department of Interior. We have had many opportunities to see Mr. Connor before the Committee, and we welcome him back.

Next to him is Mr. Lewis Ledford, who is the Executive Director for the National Association of our State Park Directors. Welcome.

Next we also have a familiar face to the Committee from a previous Administration, this is Ms. Lynn Scarlett, who is the Managing Director for Public Policy at The Nature Conservancy. Thank you for being here.

Our final witness on the panel today is Mr. Reed Watson, who is the Executive Director for the Property and Environment Research Center (PERC).

Welcome to all of you.

Mr. Connor, if you would like to begin this morning.

**STATEMENT OF HON. MICHAEL CONNOR, DEPUTY
SECRETARY, U.S. DEPARTMENT OF THE INTERIOR**

Mr. CONNOR. Absolutely.

Chairman Murkowski, Ranking Member Cantwell, members of the Committee, thank you for the opportunity to be here today and discuss reauthorization of the Land and Water Conservation Fund.

Fifty years ago Congress enacted the Land and Water Conservation Fund Act of 1965 as a bipartisan commitment to safeguard natural areas, water resources and cultural heritage and to provide recreation opportunities for all Americans now and in the future. The LWCF has been and continues to be an innovative and highly successful program. By reinvesting revenues from offshore oil and gas activities in the public lands the LWCF both through state and Federal programs has proven to be one of the nation's most effective conservation tools.

Simply put, LWCF makes economic sense. It makes environmental sense, it makes fiscal sense, and it makes sense for future generations. For these reasons this Administration believes it critically important to reauthorize and secure mandatory funding for this successful program.

I'll quickly summarize some of the key points in my written testimony.

First, LWCF makes economic sense. Today the National Park Service announced a record number of visitors to the national parks which translated to \$29.7 billion in economic activity and supported nearly 277,000 jobs, and these statistics just build on what we already know from a recent analysis by the Federal Interagency Council on outdoor recreation that in 2012 recreation activities on federally-managed lands and waters contributed approximately \$51 billion to the economy and 880,000 jobs.

Second, the Land and Water Conservation Fund makes ecological sense. Parks and other public lands and waters are not just supporting our economy, they are supporting critical environmental needs. Pursuant to another National Park Service release today we know that national parks in the lower 48 states absorb 14.8 million metric tons of carbon dioxide each year with an economic value of about \$582 million. In LWCF conservation easements have also protected water sources, species and ecosystems.

At Leslie Canyon National Wildlife Refuge in Arizona, through a years-old public/private collaborative effort, the Fish and Wildlife Service has partnered with the Bar Boot Ranch to place over 13,000 acres of working land under conservation easement. The ranch and the refuge are working together to ensure survival of native fish and wildlife on public and private land by protecting the upstream reaches of the Leslie Creek Watershed while also helping sustain the ranching business operation at Bar Boot Ranch.

Third, the Land and Water Conservation Fund makes fiscal sense. In times of tight budgets we must prioritize programs which successfully reduce management costs and can be administered in partnerships across the country. To date, the Land and Water Conservation Fund has provided over \$4 billion to state and local governments for these purposes and over 40,000 projects have been funded in every state throughout the nation in 98 percent of the nation's counties.

Of particular importance Federal land acquisition reduces land management costs. In the past five years 99.25 percent of the lands acquired by the Department of the Interior were inholdings within the external boundaries of existing conservation units. The acquisition of inholdings can reduce maintenance and manpower costs by reducing boundary conflicts, simplifying resource management activities and easing access to and through public lands.

As an example in the '16 budget the Administration proposed Land and Water Conservation funding for acquisitions at Alaska's Lake Clark National Park and Preserve, that are expected to yield significant savings over time from reduced firefighting costs associated with native allotments. The National Park acquisition of these tracts would eliminate the requirement to commit firefighting resources to suppress fires on these tracts and would yield an estimated savings of \$60,000 per tract during each firefighting season.

Finally, LWCF is important for future generations. A half century ago Congress made a historic commitment to the American people. As a result we have irreplaceable natural, historic and recreational outdoor places that otherwise might not exist or might have been lost. To try and explain the end of the Civil War without the Appomattox Courthouse or the sacrifice of those who gave their lives on Flight 93 would be impossible without the LWCF. To share with future generations the grandeur of Acadia, the Tetons or the Great Smokey Mountains could not have been maintained without the LWCF.

The importance of this funding cannot be overstated. We live in an era when people, especially young people, are increasingly disconnected from the outdoors and history. Maintaining our vitality as a nation relies in part on more opportunities for outdoor recreation and more green spaces, particularly in urban areas.

Some may argue that spending \$900 million on recreation and conservation is a luxury we can't afford. In reality we can't afford not to. Outdoor recreation is a huge economic engine that contributes an estimated \$640 billion to the nation's economy and supports 6.1 million jobs which also translates to increased tax revenues at all levels of government.

For all these reasons and more this Administration strongly supports reauthorization. And we look forward to working with Congress before the program expires at the end of this year.

Thank you.

[The prepared statement of Mr. Connor follows:]

**STATEMENT OF MICHAEL CONNOR
DEPUTY SECRETARY
U.S. DEPARTMENT OF THE INTERIOR
BEFORE THE
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
April 22, 2015**

Chairman Murkowski, Ranking Member Cantwell and Members of the Committee, thank you for the opportunity to appear before you today to discuss reauthorization of the Land and Water Conservation Fund. I appreciate the opportunity to discuss this innovative, highly successful program.

Fifty years ago, Congress enacted the Land and Water Conservation Fund Act of 1965 as a bipartisan commitment to safeguard natural areas, water resources, and cultural heritage, and to provide recreation opportunities for all Americans, now and in the future. The Act established a fund in the U.S. Treasury dedicated to preserving, developing and assuring accessibility to outdoor recreation resources and to strengthening the health and vitality of U.S. citizens by using a portion of the proceeds from the development of our public lands and waters for investments in conservation and recreation.

By reinvesting revenues from offshore oil and gas activities into public lands, the LWCF has proven to be one of the nation's most effective tools for preserving treasured landscapes; expanding historic, cultural and outdoor recreation sites; protecting rivers, lakes and other water resources; enabling access for sportsmen and hunters; and providing grants to states for recreation and conservation projects. Simply put, the LWCF has greatly contributed to the quality of life of our citizens.

Furthermore, the LWCF generates economic activity throughout the nation. In 2012, recreation activities on federally-managed lands and waters contributed approximately \$51 billion and 880,000 jobs to the U.S. economy.

To date, the LWCF has provided over \$4 billion to state and local governments for these purposes and over 40,000 projects have been funded in every state throughout the nation. These projects support local recreation and conservation and impact the lives of people in our communities every day. And federal land acquisition from the LWCF has protected lands in national parks, forests, refuges and public lands in areas too numerous to list, from Cuyahoga Valley National Park in Ohio to Big Cypress National Preserve in Florida; from Harpers Ferry National Historical Park in West Virginia to Mount Rainier National Park in Washington; and from Valle de Oro National Wildlife Refuge in New Mexico to Gates of the Arctic National Park and Preserve in Alaska.

The Administration strongly supports the reauthorization of the LWCF, which, without action from Congress, will expire on September 30, 2015. In President Obama's FY 2016 Budget request, he proposed to fully and permanently fund the LWCF program at its authorized level of

\$900 million. This funding level would support 173 projects across four land management agencies in 43 states as well as provide assistance to states and local governments for close to home recreational opportunities.

With respect to reforms to the LWCF, the Administration believes that mandatory funding is a key component of the LWCF program. The unpredictable nature of discretionary funding has limited the ability of agencies and partners to engage in the multi-year planning that is necessary for effective collaboration with local communities, for large-scale conservation projects, and to provide for recreational and sportsmen access. We look forward to working with Congress to expeditiously reauthorize this program for another fifty years before it expires on September 30, 2015.

A summary of the LWCF program, the role of the Department of the Interior and a discussion of the Administration's budget request follows.

The Land and Water Conservation Fund

The LWCF Act provides that each fiscal year until September 30, 2015, not less than \$900 million must be deposited into the LWCF. These funds consist of certain revenues from offshore oil and gas activities, along with proceeds from the sale of surplus real and personal property and motorboat fuel taxes.

Although set aside in a discrete fund, these moneys are currently only available for expenditure through annual appropriations. Each year, in accordance with the Act, the Administration submits to Congress, along with the budget, a comprehensive statement of estimated requirements for appropriations from the LWCF. Congress then appropriates moneys from the LWCF for assistance to the states and for federal acquisition of lands and waters.

In making its budget request, and in implementing the provisions of the Act, the Departments of the Interior and Agriculture work in cooperation with local communities to identify and maximize opportunities to secure rights-of-ways, easements, and fee simple lands from willing sellers that are important to the local community. The Administration supports broad collaboration around locally driven priorities and more efficient and coordinated ways of investing in, restoring, and managing the Nation's natural and cultural resources.

LWCF State Assistance Program

Once moneys are appropriated from the LWCF, the Act authorizes the Secretary of the Interior to provide financial assistance to the 50 states, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico and the Virgin Islands for the acquisition and development of public outdoor recreation sites and facilities. The Secretary, through the LWCF State Assistance Program, apportions the grant funds among these states and areas in accordance with the apportionment formula contained in the Act. This formula includes a factor for equal distribution of a portion of the fund among the states, as well as factors for distribution on the basis of population and need. These grants are provided to the states, and through the states to

local governmental jurisdictions, on a matching basis for up to fifty percent of the total project costs. Grants to the insular areas may be for 100% assistance.

The National Park Service currently administers the LWCF State Assistance program. The Act provides that to be eligible to receive the funds, states must submit a comprehensive statewide outdoor recreation plan to the Secretary, and update it at least once every five years. This plan evaluates the public outdoor recreation resources throughout a state, identifies capital investment priorities, assures community participation, and coordinates outdoor recreation programs throughout the state. Specific LWCF projects proposed by a state are submitted to the Secretary for approval to ensure consistency with the plan. Any property that is acquired or developed with LWCF assistance must remain available for public outdoor recreation purposes. However, the Secretary does have the authority in certain circumstances to convert the property to another use.

The LWCF State Assistance program has a significant impact on the daily lives of people in our local communities and touches virtually all of America. State and local parks and projects that have received assistance from the LWCF are located in over 98 percent of counties in the United States. The LWCF State Assistance Program has, with the help of local communities, funded baseball fields, skate parks, and shooting ranges, it has funded access roads in state and municipal parks, it has helped construct playgrounds, ice rinks, boat ramps and equestrian parks, it has helped provide lighting for local baseball and soccer fields, funding for swimming pools, off road vehicle areas, and golf courses. It has funded projects as far away as Nuiqsut on the arctic slope, where funds were used to develop a softball field, which also doubles as the location for “nalukataaq,” the spring whaling celebration for the village of 400 people; to an urban Bronx neighborhood in New York where the funds were used to develop lighting at the Roberto Clemente baseball field.

These local recreation areas are the places we visit every day, the places where we go for a walk in the evening, the playgrounds where parents take their kids to run around between errands, and the fields used by the youth soccer club. Since the origin of the program in 1965, over \$4 billion has been apportioned to the states for these recreation purposes. The federal investment has been matched by state and local contributions for a total LWCF grant investment of over \$ 8.2 billion.

An additional \$66.2 million has been provided to states through competitive grant programs. These competitive programs include FWS Cooperative Endangered Species Conservation grants for states and territories to work with private landowners, conservation organizations and other partners to protect and conserve the habitat of threatened and endangered species, the American Battlefield Protection program grants, and the NPS Urban Parks and Recreation grants.

Forest Legacy Program

The Forest Legacy Program, administered by the U.S. Forest Service, provides grants funded by the LWCF to protect environmentally important forest lands while maintaining private ownership and working forests. More than 50 percent (over 420 million acres) of our nation’s forests are privately owned, and family forest owners and timber companies are facing increasing pressure to sell, subdivide, and develop their land. Through the Forest Legacy Program, the U.S.

Forest Service provides grants to state partners to protect these important lands with the focus on working forests. Forest Legacy helps landowners continue to provide forest products and resource based jobs, protects air and water quality, provides recreational opportunities and important fish and wildlife habitat including for threatened or endangered species. These lands are protected through conservation easements and fee-simple purchases with partners such as state agencies, private owners, and other conservation partners. To date over 2.47 million acres of important forestland has been protected under this program.

Federal Land Acquisition

The Act provides that moneys appropriated to the LWCF for federal purposes must be used by the President for acquisition of lands, waters and interests in lands and waters as specified in the Act for the national park and national forest systems, as well as for other federally managed public lands. It also authorizes acquisitions for the national wildlife refuge system, including acquisitions for endangered and threatened species.

This funding secures access for the American public to their federal lands for recreational opportunities—from hunting and fishing to canoeing and bird watching. When done strategically, these acquisitions of fee title or easement interests in lands strengthen national parks, national wildlife refuges, and other federally managed public lands, resulting in cost savings that can offset most, if not all, additional operational costs and provide economic benefits for local economies.

Federal land acquisition reduces land management costs. In the past five years, 99.25% of the lands acquired by the Department of the Interior were inholdings of existing conservation units. The acquisition of inholdings can reduce maintenance and manpower costs by reducing boundary conflicts, simplifying resource management activities, and easing access to and through public lands. This focus maximizes management efficiencies for the agencies and, in many cases, reduces costs.

For example, at San Diego National Wildlife Refuge in California, the purchase of inholdings through the LWCF reduced management costs while conserving wildlife habitat corridors. The Fish and Wildlife Service added six small, but important, inholdings to the refuge, which helped consolidate ownership in the heart of the refuge and protect areas of coastal sagebrush and chaparral that support a variety of rare plants and animals.

Similarly, in the FY 2016 budget, the Administration proposed LWCF for acquisitions at Alaska's Lake Clark National Park and Preserve that are expected to yield significant cost-savings from reduced firefighting costs over time. For firefighting purposes, native-allotment tracts such as those proposed for acquisition in Lake Clark National Park, are designated at the "full" protection level, meaning they are high priority for extensive fire suppression actions, and can incur significant costs to protect. NPS acquisition of these tracts would eliminate the requirement to commit this level of firefighting resources to suppress fires on these tracts, and would yield an estimated savings of \$60,000 per allotment during fire events.

Federal land acquisitions also provide economic benefits. For example, since 2001, the Bureau of Land Management has acquired approximately 2,700 acres within the Sandy River Area of Critical Environmental Concern. The Sandy River and the nearby Oregon National Historic Trail, offer exceptional recreational opportunities for fishing, hiking, wildlife viewing, nature study, and non-motorized boating and river floating. This area is 20 miles from Portland – the Northwest’s second largest metropolitan area – and receives approximately a half million visitors per year. This area is an important economic asset to the local community and supports many local businesses.

Federal land acquisition also protects history. This month, during her visit to the Appomattox Court House National Historical Park, Secretary Jewell visited the site of some of the final battles of the Civil War in Virginia. The LWCF was used to expand Appomattox Court House National Historical Park by 383 acres in the 1970s. More recently, the LWCF has been leveraged to enable the NPS to work in partnership with the Civil War Trust to preserve six additional properties associated with the battles of Appomattox Station and Appomattox Court House, totaling 108 acres at a value of nearly \$2.6 million. Those sites help protect the viewshed around the historic village where the McLean House — the site of surrender — stands. LWCF has been used to acquire land at other Civil War battlefields including Antietam in Maryland, Fredericksburg in Virginia, Chattanooga in Tennessee, Harpers Ferry in West Virginia, and Gettysburg in Pennsylvania.

Finally federal land acquisition supports local priorities. For example, Secretary Jewell recently toured the Chattahoochee River National Recreation Area in Georgia. This area was originally created with support from the LWCF in 1979 and has benefited over the years from additional LWCF funding to expand and further protect it. In addition to providing recreational facilities, hiking and biking trails, and conserving the river and watershed, the area has had an important economic impact on the local communities. Last year, visitors to Chattahoochee National Recreation Area spent over \$123 million and supported 1,723 jobs.

In the Prairie Pothole Region of North and South Dakota, the LWCF is helping preserve the ranching tradition, by supporting the rural economy and protecting important habitat for wildlife. To date, more than 5,000 landowners have partnered with the FWS to place land under perpetual easements, which preclude land conversion and the draining of potholes but permit the landowner to retain all other rights of use and access. This conserves the native prairie and wetlands, protecting important wildlife habitat while supporting the continued operation of the region’s traditional livestock and ranching enterprises.

And, at Leslie Canyon National Wildlife Refuge in Arizona, through a years-old public-private collaborative effort, the FWS partnered with the Bar Boot Ranch to place over 13,000 acres of working land under conservation easement at the refuge with funding support from the LWCF. The voluntary conservation easement limits subdivision and surface development on the ranch and permits watershed restoration activities, while continuing to allow traditional ranching uses. The easement will help ensure continued water supplies to sustain native fish, wildlife, and plants, including federally-listed threatened and endangered species, while also helping sustain the ranching business operation at Bar Boot Ranch.

The Department's FY 2016 Budget Request

As these examples demonstrate, the LWCF makes economic sense, it makes environmental sense, it makes fiscal sense and it makes sense for future generations. For these reasons, this Administration believes it is critically important to reauthorize this successful program.

In recognition of this important program, the President's FY 2016 budget request would fully fund the LWCF at \$900 million annually and would permanently authorize the LWCF. Beginning in 2017, funding for LWCF programs would be mandatory. Mandatory funding is critically important to increasing the financial certainty needed to build and enhance local and community conservation partnerships. It will also optimize valuable investments by leveraging other Federal and non-Federal funds, and, with predictability, it will enable efficiencies in managing LWCF programs and facilitate a more inclusive process.

The FY 2016 budget requests full funding, of which \$672.3 million is requested for the Department's programs. The request supports simpler, more efficient land management; creates greater access for hunters and anglers and other recreation opportunities; creates long-term cost savings; addresses urgent threats to some of America's most special places; and better supports state and local conservation priorities.

Some of the highlights for the funding requested for the Department's programs include:

- \$447 million (both discretionary and mandatory) for federal land acquisition, of which \$150 million is for acquisition of Collaborative Landscape Planning projects. These acquisitions address specific high-priority conservation values identified through collaboration conducted by the Department's land managing bureaus and the U.S. Forest Service;
- \$15 million (both discretionary and mandatory) for sportsmen access for sporting and recreation in parks, FWS refuges, and BLM public lands (\$20 million if national forests are included);
- \$100 million (both discretionary and mandatory) for NPS State Conservation grants, intended to create and maintain a legacy of high quality recreation areas and facilities to stimulate non-federal investment in the protection and maintenance of recreation resources across the country; and
- \$25 million for Urban Parks and Recreation Fund grants, through the NPS.

Overall, of the \$900 million funding in FY 2016 for the Departments of the Interior and Agriculture combined, approximately \$575 million will support conservation, sportsmen access, and recreational opportunities on federal land

As noted above, the Administration's request includes continued funding for the Collaborative Landscape Planning LWCF initiative. This important interagency program brings the Departments of the Interior and of Agriculture together with local stakeholders to identify large natural areas where LWCF funds can achieve the most important shared conservation goals in the highest priority landscapes. Conserving large-scale natural areas provides multiple resource

and economic benefits to the public, including clean drinking water, recreational opportunities, protected habitat for at-risk and game species, and jobs generated on and off these lands.

Finally, enactment of a mandatory LWCF program is central to protecting the American heritage of conservation and recreation for the American people. Mandatory funding also will help achieve the original intent of the LWCF Act—the dedication of a meaningful portion, \$900 million, of the revenues private companies pay to access the Nation’s offshore oil and gas reserves for the preservation of the Nation’s lands and waters for the benefit of all Americans, now and in the future. The Energy Information Administration projects that offshore crude oil development is expected to increase an average of 1.3% per year through 2040 (see EIA Annual Energy Outlook 2015 with Projections to 2040), with production expected to reach 2.10 million barrels/day by 2020. That is a 37% increase over 2015. At any level of crude oil prices projected in the Report, the incremental production of offshore oil over current levels would yield over \$2 billion in increased revenues to the Federal treasury, well exceeding the Administration’s funding request.

Conclusion:

Over its 50-year history, the LWCF has reinvested a small portion of revenues from offshore oil and gas leases on the Outer Continental Shelf in over 40,000 local conservation and outdoor recreation projects that protect our nation’s land, water, wildlife and cultural heritage. In this manner, the LWCF has protected conservation and recreation land in every state and supported tens of thousands of state and local projects. These investments not only conserve lands in or near national parks, refuges, forests, and other public lands—including landscapes identified for collaborative, strategic conservation—they also enable access to lands for sportsmen and hunters, protect historic battlefields, and provide grants to states for recreation and conservation projects improving the quality of life in cities and towns across this country.

The CHAIRMAN. Thank you, Mr. Connor.
Mr. Ledford, welcome.

**STATEMENT OF LEWIS LEDFORD, EXECUTIVE DIRECTOR,
NATIONAL ASSOCIATION OF STATE PARK DIRECTORS**

Mr. LEDFORD. Good morning, Madam Chairman, Senator Murkowski, Ranking Member Cantwell and members of the Committee. Thank you for the opportunity to testify today. I am Lewis Ledford, the Executive Director of the National Association of State Park Directors and prior to that served as the State Park Director in North Carolina and also the State Liaison Officer for LWCF.

America's state parks provide wonderful outdoor recreation experiences and unique historical, scientific and environmental education opportunities. There are some 2,200 state parks and over 10,000 areas in our country when you consider all the recreation, natural and historic sites. Further they encompass 18,000,000 acres and include numerous facilities including over 217,000 campsites.

LWCF has been a key reason for this vast diversity of intense public recreation and accounting places from the expansive mountainous landscapes in Alaska to a coral reef in Florida to the longest stalactite in the world in an Arizona cavern to locations where the European settlers first came to America. The splendor of the beauty of the mosaic of the natural resources and the cultural fabric of America are the reasons that 739,000,000 people visited the state park systems last year. The economic impact of our state park system is estimated to be \$20 billion annually.

Congress enacted LWCF visionary legislation. It's forward thinking in reinvesting back in the conservation and recreation. From open space greenways to trails to playgrounds to swimming pools, camping facilities, ball fields, state-assisted funding has benefited 98 percent of the counties in the country.

The state's ability to access local decision makers like governors, commissioners, city managers and most importantly the soccer moms, the users, the skateboarders, the mountain bikers and their friends' groups are crucial to ensure that the needs of each state and local community are met.

The state assistance funds must be matched on a 50 percent level. It's a tremendous fund raising tool for communities that reach out to many partners, a formal allocation of the funds on an equal basis to all states and territories. State agencies are well positioned with good planning and management for LWCF projects because they're well connected with their communities.

They're wonderful examples in the 42,000 projects from the City of Bremerton, Washington where they restored the beauty of a park on the Puget Sound Waterfront to the city of Bethel in Alaska where they provided park improvements for Pinky's Park, a Native American community of 6,300 people accessible only by river and by air.

The LWCF Act was designed to create close to home recreation opportunities. Priorities continue to justify those needs for state and local level; however, in 1976 a change was made to remove the 60 percent funding guarantee for the State Assistance Program. In

1998 the program was expanded to allow for spending for related purposes.

Since Fiscal Year 2004 the state portion of the program has averaged only 12 and a half percent of the total appropriation. The charts and the table that I provided in my written testimony readily show the impacts of these changes.

Restoring the state share consistent with the original intent of the legislation would mean more spent on close to home recreation and on priority projects determined by the state agencies in a transparent process, who well know what their constituents want and need in terms of outdoor recreation. While not every community has a wonderful national park, every community has outdoor recreation resources. State and local parks are used by people of all ethnic groups, all income levels, all abilities and all ages on a daily basis throughout the year.

The National Association of State Park Directors therefore supports the reauthorization of LWCF with full and dedicated funding and equitable allocation up to 60 percent such as in the original permit or establishment of the law. It supports the use of state funds for renovation, restoration and facilities and stewardship of the recreation areas. It also supports the reevaluation of the state's 6(f) conversion obligation. And it would also encourage addressing the percentage relative to the citizens living in the urban and the rural areas.

In 1965 the U.S. population was 194,000,000. Today it's estimated to be 321,000,000. State and local outdoor recreation opportunities and demand continue to be there. We need to address the population and provision for these shifting demographics and increases. Reauthorizing LWCF with a balanced and equitable funding will have great impact today and for future generations in meeting the purposes of the original act.

Madam Chair Murkowski, Ranking Member Cantwell and members of the Committee, thank you for this opportunity to speak with you this morning. We appreciate your consideration for the support of America's state and local parks, the largest chain of wellness and economic drivers on the planet.

Thank you.

[The prepared statement of Mr. Ledford follows:]

Lewis Ledford, Executive Director, National Association of State Park Directors

Written Testimony, Senate Energy and Natural Resources Committee Hearing
April 22, 2015

Good Morning Madam Chair Senator Murkowski, Ranking Member Cantwell, and members of the Committee on Energy and Natural Resources:

Thank you for the opportunity to testify today. I am Lewis Ledford, Executive Director of the National Association of State Park Directors (NASPD). I accepted this role just over one year ago following retirement from a lengthy career that began at the entry level with North Carolina State Park and Recreation; it concluded with the last eleven as the director. I also served on the board of directors for the National Recreation and Park Association for the past six years. I also served as the LWCF state liaison officer for North Carolina for the eleven years I served as the parks director. Parks and conservation has been the mainstay of my entire professional life. I appreciate the opportunity to be part of the discussion on this important issue today about the Land and Water Conservation Fund. (LWCF)

The mission of NASPD is to promote and advance the state park systems of America for their own significance, as well as for their important contributions to the nation's environment, heritage, health, and economy. We are devoted to helping state park systems effectively manage and administer their state parks. Though it's preceding organization dates back to the early 1900s, NASPD officially met for the first time in 1962 at Illinois Beach State Park on the shores of Lake Michigan near Zion, Illinois.

America's State Parks provide wonderful outdoor recreation experiences and unique historical, scientific and environmental education opportunities. There are 2,224 state parks and 10,234 areas when all the state recreation sites, natural areas, historic sites, education and scientific areas, forests and other sites are considered that encompass 18,207,318 acres. They include numerous facilities, including 217,367 campsites.

LWCF has been a key reason for the vast diversity from intense public recreation to iconic places – from the expansive mountainous landscape in Alaska to a coral reef in Florida to the world's longest stalactite formation in an Arizona cavern to locations where European settlers first came to America and much more. The mosaic of the natural resources, the cultural fabric of America, and the splendor of its beauty were enjoyed by 739,615,816 visitors last year. The economic impact of State Parks exceeds \$20B to local and state economies. Indeed, State Parks provide important contributions to the nation's environment, heritage, health, and economy.

In preparing this testimony I have jointly worked with National Recreation and Park Association (NRPA) and the leadership of the National Association of State Outdoor Recreation Liaison Officers (NASORLO). NRPA is a nonprofit organization working to advance parks, recreation and environmental conservation efforts nationwide. Leveraging their role in conservation, health and wellness, and social equity, NRPA members touch the lives of every American in every community every day. Their primary membership of

14,000 public agencies and 48,000 citizen and professional members represent park and recreation departments primarily in cities, counties, townships, special park districts, and regional park authorities. NASORLO represents the states and territories and provides a liaison to Congress and the Department of Interior in the administration of matching funds to state and local governments for outdoor recreation. Each state or territory has a gubernatorial-appointed State Liaison Officer.

Congress created the LWCF in 1965 as a bipartisan commitment to safeguard natural areas, water resources, and our cultural heritage and provide outdoor recreation opportunities. This Act will expire in September 2015, unless reauthorization occurs.

This legacy act established a funding mechanism for Federal lands and State Assistance for state and local parks. For the state and local governments, this matching grant program is the only federal grant program for outdoor recreation. These funds help develop, acquire and improve outdoor recreation in parks and protected areas. States and territories have provided new or expanded recreation and conservation opportunities through more than 42,000 projects. State and local projects run the gamut from open space to trails, neighborhood playgrounds, swimming pools, camping facilities and ball fields. LWCF state assisted funding has benefitted nearly every county (98%) in the country.

States select high priority state and local projects using criteria from their Statewide Comprehensive Outdoor Recreation Plans, or SCORPs, as required in the LWCF Act. The SCORP's are one of the many ways to assure that local stakeholders, including the public, help shape the recreation landscape within the state assistance program of the LWCF. Statewide plans along with the states' ability to access local decision makers like Governors, County Commissioners, City Managers and local park and recreation professionals, and most importantly the users (soccer moms, skate boarders and friends groups) are crucial to ensuring that the needs of each state and local community are met.

Examples:

Washington, City of Bremerton

Lions Park Waterfront Redevelopment grant in 2010 for \$510,000.

"The 1970s-era design at this park paved much of the 1,900 feet bordering Puget Sound and blocked stunning views with non-native trees. In rethinking the park, the City of Bremerton removed more than 2.5 acres of asphalt, restored the shoreline, and redeveloped park infrastructure with sustainable elements including porous paving, green roofs, rain gardens, and a nature-themed playground. The federal investment, less than 30% of the project, was matched with grants from the Lion's Foundation and from the state." -- Source: NPS LWCF State Assistance Report from 2011

Washington, City of Tacoma, George B. Kandle Park Aquatics Facility (Park Renovation) grant for \$509,000 in 2011.

Alaska, City of Seldovia received a \$98,280 grant in 2011 to “Upgrade and Expand” Seldovia Wilderness Park

Alaska, City of Bethel

A community of 6,300, predominantly Native American, accessible only by air and river, the community is located inside the Yukon Delta National Wildlife Refuge. Pinky’s Park, the City’s main public outdoor recreation site, received a \$125,000 grant in 2014 to fund improvements. The Park has received \$425,000 in total from the LWCF State Assistance Program over the past 37 years – first grant of \$200,000 was made in 1978.

The State Assistance Program funds are allocated through the National Park Service, for specific projects; by law, those projects must receive at least 50 percent of their funding from the state and local project sponsors. The stateside money is apportioned to the individual states using an established formula. The formula allocates some of the money on an equal basis across all states and territories, with the remainder apportioned based on needs; needs are determined, in part, based on the state population. Projects are then tracked until completion and inspected every five years by the State Liaison Officer (SLO) or his/her designee to assure compliance in perpetuity.

State agencies are strategically positioned to ensure good planning, budgeting and accountability for LWCF state assistance projects because we are immersed within our states and local communities. In general, state governments are in tune with the pulse and feelings of the population and must assume leadership roles in recreation.

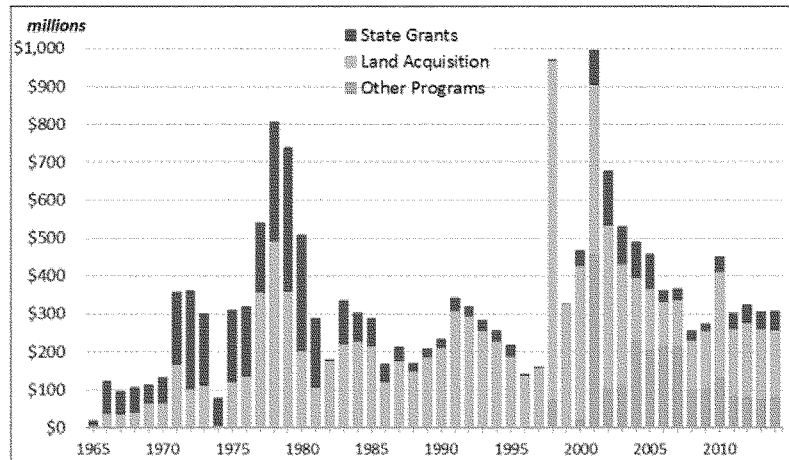
The federal side has provided a funding source for our national parks and monuments to assist in acquisition and development and the federal side has a pass through funding for state and local wildlife and wetland habitat, endangered plant conservation projects, and timberland conservation programs. Recipients of these funds include the Bureau of Land Management, Forest Service, Fish and Wildlife Service, and the National Park Service.

The LWCF is not a true trust fund in the way “trust fund” is generally understood in the private sector. The fund is credited with revenues totaling \$900 million annually, but these credited monies cannot be spent unless appropriated by Congress.

The national priorities identified in 1965, 1980, and more recently in 2010 continued to verify needs within local communities and the states for additional outdoor recreation areas and facilities. The LWCF Act was designed to create close-to-home recreation opportunities. Originally 60% of the funds in this program were specifically designated for state and local projects. The remaining 40% was for federal agency land acquisition. In 1976, LWCF was changed to remove the 60% guarantee of funding for the LWCF State Assistance Program.

Since fiscal year 2004, the state assistance portion of the program has averaged only 12.5 percent of the total appropriation, while the federal land acquisition and other federal programs have received 87.5 % of the funding. The following chart *LWCF Appropriations: FY1965-FY2014* clearly defines exactly when the State Assistance’s severe decline started.

Figure 1. LWCF Appropriations, FY 1965-FY 2014



Source: The primary source for these data is the DOI Budget Office, at <http://www.doi.gov/budget/budget-data.cfm>. See the entry for "Land and Water Conservation Fund Receipts: MS Excel Spreadsheet." Data updated on March 5, 2014.

Notes: The graph does not reflect \$76 million provided for the transition quarter from July 1, 1976, to September 30, 1976. Also, dollars are not adjusted for inflation.

The legislative amendments, or changes, that have occurred since LWCF was enacted include:

- 1968 – Outer Continental Shelf (OCS) oil and gas royalties added
- 1976 – Removed the 60% guarantee for state assistance program, but left “not less than 40% available for federal (land acquisition) purposes”
- 1977 – Funding level increased to \$900 million
- 1998 – Expansion of funds through appropriations to include “related purposes” other than land acquisition, no change in the Act.

The following chart illustrates the resulting allocation changes to the LWCF State Assistance Programs.

LWCF Appropriations
Prior to 1997 and Since 1997 for "other purposes"

	Federal Acquisition	State Assistance Program	Other Federal Programs
1965-1997	\$5.6 billion (63%)	\$3.3 billion (37%)	\$0 (0%)
1997-2012	\$4.5 billion (61%)	\$0.8 billion (11%)	\$2.2 billion (29%)

Technically, there was no change made to the LWCF Act in 1998. The Act says, "Moneys appropriated from the fund for Federal purposes shall, *unless otherwise allotted in the Appropriation Act making them available*, be allotted by the President to the following purposes and subpurposes ..." It goes on to list the guidance on acquisition of land, waters, or interests in land or waters for which the President may use the funds. Congress appropriates funds for other purposes based on the part that is in italics.

Funds used for related purposes have gone towards the following:

- BLM: Payment in Lieu of Taxes (PILT), Maintenance
- FS: Forest Legacy, road rehabilitation and maintenance, State and Private Forestry Programs
- FWS: State and Tribal Wildlife Grants, Cooperative Endangered Species Conservation Fund, North American Wetlands Conservation Act Fund, Deferred Maintenance, Landowner Incentive Program, Private Stewardship Grants
- NPS: Urban Park and Recreation Recovery Program (UPARR), Historic Preservation Fund, Elwha Ecosystem Restoration, Deferred Maintenance

Some funds have also gone to USGS and Bureau of Indian Affairs for non-acquisition purposes. The total amount that has gone towards other purposes is approximately \$2.1 billion. Funds were appropriated for other purposes in FY1998, FY2000, and every year since.

The Gulf of Mexico Energy Security Act of 2006 (GOMESA) designates 12.5 percent of revenues associated with certain Outer Continental Shelf leases in the Gulf of Mexico are directed to the LWCF stateside program. These funds are automatically available and do not require any action by Congress to appropriate them. Congress can appropriate additional funds to the stateside program if it wants to. GOMESA revenues are divided into two phases. Phase I (FY2009–FY2016) includes qualified revenue from leases issued in

two small geographic areas within the Gulf of Mexico Program Area. Phase II includes qualified revenues from the majority of existing leases issued since December 20, 2006, in the Gulf of Mexico Program Area and any future leases issued there. Phase II will begin in 2017 with funds disbursed to the LWCF the following year in 2018. Revenues under Phase II are expected to be much higher; however, the combined amount designated to the LWCF stateside program and the Gulf States is currently capped at \$500 million through FY2055. The most that the LWCF stateside program could receive is 12.5% of revenues from Phase I plus a maximum of \$125 million from Phase II revenues beginning in FY2018.

Restoring the state share consistent with the original intent of the legislation would mean of course millions more spent on **close to home recreation on the priority projects determined by state agencies, in a transparent process, who know best what local constituents want and need in terms of outdoor recreation.** It is estimated that dedicating 60% of funds to the state assistance program would more than triple the funds available to **local communities** under the status quo. Ensuring state-controlled planning (SCORP) that includes mandated federal agency participation is critical moving forward. Providing flexibility to State Liaison Officers for LWCF stateside funds to include renovation, restoration & stewardship of lands for outdoor recreation is an important component of the act. Additionally, NASPD and NRPA are committed to addressing the increasing urban needs that have arisen over the years. The state representatives know and understand the needs within their respective jurisdictions.

We all recognize the current limitations on the Federal budget. But every member of Congress can agree that the dollars invested through the **LWCF State Assistance Program for local projects like parks, ball fields, pools, and playgrounds which preserve those spaces in perpetuity are very worthy investments in the future health and well-being of America. Open space, greenways and trails are vital to the quality of life in communities.** As new initiatives like the “Every Kid in a Park” targeting fourth grade students to get in a safe outdoors park emerge, so should the ability to provide accessible and walkable green space. The health benefits are undeniable and new studies continue to evolve on how important unstructured outdoor play is to all citizens. The economic benefits of the construction of these projects should not be ignored.

LWCF State Assistance Program funds have been objectively and effectively administered. Over two-thirds of LWCF State Assistance projects have been awarded to over 10,800 municipal, county and Territorial public agencies including Native American communities. And nearly a third has been used to acquire and/or develop America’s State Parks. LWCF State Assistance has been essential in creating the building blocks of State and local park systems. Assisted sites provide conservation and recreation access for citizens of all ages and abilities. LWCF is brilliant in that it is a public policy that encourages truly long-term investment and fiduciary stewardship.

In summary, the State Assistance Program, which was founded as a core priority program at the time of the LWCF’s creation, has been especially neglected over the last two decades.

It's a fact that State Assistance has been the victim of the major changes to the LWCF Act to not only change the mandatory allocations, but also add new and loosely defined "related purposes" as eligible uses for LWCF dollars. These "related purposes" or new programs were added to the law in 1997. While certainly serving worthwhile goals, these additional accounts have effectively squeezed the State Assistance allocation down to no more than 12% to 13% of total LWCF appropriations since 1998.

This has lead the State Assistance Program – again, a core tenant and justification for the very creation of the LWCF 50 years ago – to receive an average annual appropriation of about \$35 million since 2006, while these "other purposes" have averaged \$120 million annually for the same period. That is \$35 million intended to address critical conservation and outdoor recreation needs in all 50 states and six territories.

All this as state and local agencies must comply with important conditions such as the dollar-for-dollar match and 6(f), which we do because we understand that those are part of what makes the State Assistance Program successful. Consider, however, the example of Alaska, which has received an average of only about \$375,000 in State Assistance apportionment each year since 2000 to address its many state parks and local parks departments.

Therefore, it's simple to understand how many states – having seen their funding so severely diminished while still required to match their grants dollar-for-dollar AND maintain and protect these sites for public recreation use in perpetuity – have begun to question the program's return-on-investment (ROI), let alone the return-on-objective (ROO) which is to address the critical close-to-home conservation and outdoor recreation priorities in their communities.

While not every community has a national park, every community has local outdoor recreation resources. These parks are used by people of all ethnic groups, all income levels and all ages on a daily basis throughout the year!

The State Assistance Program:

- Provides healthy outdoor recreation areas and facilities close to home
- Doubles the impact of the federal grant; many grants are matched significantly more than the required dollar-for-dollar
- Stimulates strong support and involvement from the local citizens
- Allows for the ongoing upgrade and renovation of existing facilities
- Provides ready access to healthy options to address the national priority for improving the activity level of children and adults
- Addresses the needs of providing new and improved areas in metropolitan areas to address urban growth and redevelopment
- Provides economic stimulus through active outdoor recreation that contributes \$646 billion annually to the economy, support 6.1 million jobs, and generates \$40 billion in tax revenue
- Makes our communities and cities attractive places for industry and professional job growth.

The National Association of State Park Directors, therefore supports:

- Reauthorization of LWCF with full and dedicated funding, including the original allocation of up to 60% allocation for matching grants through the State Assistance Program
- The ongoing use of state and local grants to use all or part of LWCF stateside funds for renovation, restoration & stewardship of lands and outdoor recreation areas and facilities
- Relaxation or elimination of some of the state's 6(f) conversion obligation especially for smaller projects
- The elimination of 6(f) responsibilities of the states, if adequate funding is unavailable, as it then becomes an unfunded mandate placed upon the state
- A formula that fairly dedicates stateside funds within each state's allocation based on the relative percentage of citizens living in metropolitan statistical areas and rural areas. For example, if 33% of a state's citizens live in MSAs, then the SLO would be mandated to award 33% of funds to projects serving an MSA.

In 1965 the US population was 194 million. The US Census agency projects the population to reach 321 million this year. State and local outdoor recreation opportunities must grow to keep pace with a growing population and shifting demographics.

Reauthorization of LWCF, with balanced and equitable funding of the State Assistance allocation, will have great impact today, and for future generations, in meeting the purposes of the original Act. Thank you for your consideration.

Madam Chair Murkowski, Ranking Member Cantwell and members of the committee, thank you again for the opportunity to speak with you this morning. We appreciate your consideration and support for America's state parks — the largest chain of wellness centers and economic drivers on the planet! Thank you.

References:

CRS Land and Water Conservation Fund: Overview, Funding History, and Issues

Outdoor Industry Association, 2012

National Association of State Park Directors, 2013

NASPD, Statistical Report of State Park Operations: 2013-2104, NCSU-PRTM

Attachments:

NRPA LWCF State Assistance Program Fact Sheet, 2015, 1 page

NRPA State Sheets 2014, 50 pages

NASPD Inventory, Total State Park Areas and Total Trails, 1 page

NASPD Inventory, Total State Park Visitation, 1 page

PARK AND RECREATION FACT SHEET

LAND AND WATER CONSERVATION FUND (LWCF) STATE AND LOCAL ASSISTANCE PROGRAM

NRPA POLICY POSITION

- Support the reauthorization of the LWCF, including full and permanent funding.
- Protect the interests of states and local communities by providing fair and equitable treatment for the *State Assistance Program* of no less than 40% guaranteed funding for formula grants to the states for active outdoor recreation. This is the same amount required by law to be allocated to the LWCF federal land acquisition program.
- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40 percent of the total LWCF funding in FY16 to the *State Assistance Program*, with a dedicated amount being provided to the "Outdoor Recreation Legacy Program" competitive grant initiative.

BACKGROUND

In 1965, the Land and Water Conservation Fund (LWCF) was enacted to help preserve, develop and ensure access to outdoor recreation facilities for the purpose of strengthening the health of U.S. citizens.

Congress created LWCF to meet the nation's growing need for access to close-to-home outdoor recreation. The money for the fund comes not from taxes, but primarily from oil and gas lease revenues derived from federal lands. This helps balance the environmental impacts associated with resource extraction by ensuring that new parks and open spaces are accessible to all Americans.

Lasting Impact on Local Economies and Quality of Life

The *LWCF State Assistance Program* requires states and local communities to match the federal investment dollar-for-dollar. Since 1965, the *LWCF State Assistance Program* has:

- Provided over \$4 billion to states, territories and local communities. Combined with the local match, *LWCF State Assistance* funds have yielded a total investment of more than \$8 billion.
- Funded more than 42,000 local and state projects in every county in America.

That Continued Impact is At-Risk

- LWCF funding to states and local communities has steadily declined from \$376 million in 1979 to \$45 million in FY14.
- From 1965-1976, 60 percent of LWCF appropriations went to the *State Assistance Program*.
- Since 1988, only 13 percent of LWCF appropriations have gone to the *State Assistance Program*.

WHY CONGRESS SHOULD ACT

Creating Jobs and Stimulating the Economy

The outdoor recreation industry is one of the nation's most important economic drivers.

- The *LWCF State Assistance Program* stimulates active outdoor recreation, which contributes \$646 billion annually to the economy, supporting 6.1 million jobs, as well as generating nearly \$40 billion in federal tax revenue.¹
- More American jobs depend on trail sports (768,000) than there are lawyers (728,000) in the U.S.¹
- Americans spend more annually on bicycling gear and trips (\$81 billion) than they do on airplane tickets and fees (\$51 billion).¹
- Americans spend nearly as much on snow sports (\$53 billion) as they do on Internet access (\$54 billion).¹
- 20 new jobs are created for every \$1 million invested in park and recreation conservation projects such as those funded through *LWCF State Assistance*.²
- The 725 million annual visits to America's state park system — a recipient of *LWCF State Assistance* funding — contribute \$20 billion to local and state economies.³

Every State and Territory Annually Receives Funding

States do not have to compete against other states for funding. Each year, a set percentage of *LWCF State Assistance* funding is equally distributed to the states and territories. Remaining funds are then allocated based on population.



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Available To and Used By Every American

While not every community has a national park, every community has local outdoor recreational resources. These parks are used by people of all ethnic groups, all income levels and all ages on a daily basis throughout the year. **LWCF State Assistance** funding ensures close-to-home public recreation resources with parks and projects located in every county in America.

Wise Use of Federal Funds With No Deficit Impact

- LWCF is budget neutral, having been authorized with a dedicated funding source of Outer Continental Shelf (OCS) offshore oil and gas leasing revenues for nearly five decades.
NOTE: OCS revenues for 2013 alone totaled \$9 BILLION
- States and localities are required to match federal funds dollar-for-dollar. This doubles the investment in state and local park and recreation projects, thereby creating more jobs.
- Land used for **LWCF State Assistance** projects must remain in recreational use in perpetuity. This ensures that the federal, state and local investments remain available for future generations of Americans.

¹ Source: Outdoor Industry Association 2012

² Political Economy Research Institute University of MA

³ National Association of State Park Directors

"Protecting America's parks, waters and trails isn't just about the land. It's about protecting the economy, the communities and the people whose lives depend on having the ability to play outside."

-Outdoor Industry Association

FISCAL YEAR	TOTAL LWCF*	LWCF State Assistance	Percentage of Total LWCF	Amount State Assistance Would Have Received with a 40% Allocation
FY11	\$300,761,000	\$40,000,000	13.3%	\$120,304,400
FY12	\$322,517,000	\$45,000,000**	13.9%	\$129,006,800
FY13	\$305,479,000	\$39,934,400	13.1%	\$122,192,000
FY14	\$305,043,000	\$45,000,000***	14.7%	\$122,417,000

*Source: Dept. of Interior LWCF funding history
(www.doi.gov/budget/upload/LWCFRECEIPTS.xls)

** In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance program. However, an across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

*** In FY14 LWCF State Assistance funding totaled \$45m, which included \$42m in formula grants to the states and \$3m in "competitive" grants.

(Date: March 2015)



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Alabama

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
- Co-Sponsor legislation (H.R. 2727) which protects the interest of states and local communities by requiring a minimum of 40% of the total annual LWCF funding is allocated to the LWCF State Assistance Program. This is the same amount required by law to be allocated to the LWCF federal land acquisition program.
- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
891	\$65,253,255	\$75,790,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$659,868	\$2,025,000
FY13	\$39.9 million **	\$625,353	\$1,927,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, an across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Phil Campbell Splash Pad Project	Town of Phil Campbell	8/29/2012	\$149,100
Every Child's Playground	City of Guntersville	3/26/2012	\$50,000
Troy Recreation Sportsplex Playground Development	City of Troy	8/31/2012	\$50,000

Date: March 2014

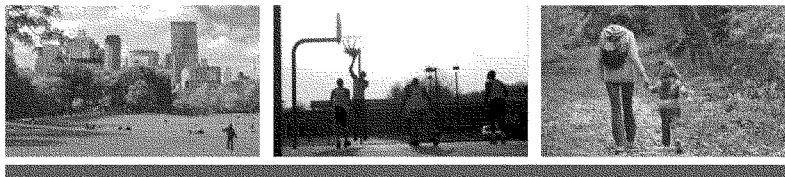
For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrcr.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Alaska

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
282	\$34,634,340	\$49,587,589

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$381,919	\$1,170,000
FY13	\$39.9 million **	\$361,943	\$1,109,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, on across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Skater's Lake Park	Metlakatla Indian Community	4/6/2011	\$98,280
Johnson Lake SRA West Campground Upgrade	Alaska Division of Parks	7/25/2011	\$172,133
Seldovia Wilderness Park Upgrade and Expansion	City of Seldovia	4/6/2011	\$98,280

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.herc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Arizona

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
- Co-Sponsor legislation (H.R. 2727) which protects the interest of states and local communities by requiring a minimum of 40% of the total annual LWCF funding is allocated to the LWCF State Assistance Program. This is the same amount required by law to be allocated to the LWCF federal land acquisition program.
- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
728	\$59,963,031	\$162,700,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$838,710	\$2,576,000
FY13	\$39.9 million **	\$794,841	\$2,538,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, an across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Slide Rock State Park Improvements	Arizona State Parks	3/13/2008	\$174,071
Eagar Sports Complex	Town of Eagar	3/13/2008	\$148,995
Pinetop-Lakeside Multi-Use Facility Lighting	Town of Pinetop/Lakeside	4/25/2007	\$155,000

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Arkansas

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
- Co-Sponsor legislation (H.R. 2727) which protects the interest of states and local communities by requiring a minimum of 40% of the total annual LWCF funding is allocated to the LWCF State Assistance Program. This is the same amount required by law to be allocated to the LWCF federal land acquisition program.
- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
722	\$49,879,285	\$231,716,346

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$525,907	\$1,613,000
FY13	\$39.9 million **	\$498,399	\$1,537,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, on across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Delta Heritage Trail	Arkansas State Parks	9/18/2013	\$398,228
Monticello Multi-Park Development	City of Monticello	5/2/2012	\$128,442
Pine Bluff Park Improvements	City of Pine Bluff	7/31/2012	\$258,959

Date: March 2014

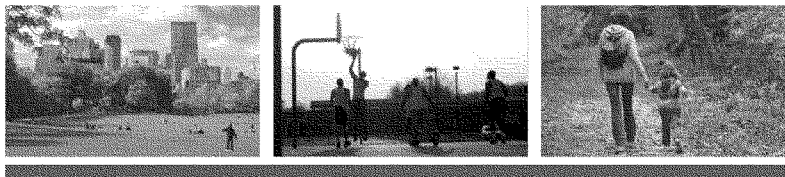
For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

California

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
- Co-Sponsor legislation (H.R. 2727) which protects the interest of states and local communities by requiring a minimum of 40% of the total annual LWCF funding is allocated to the LWCF State Assistance Program. This is the same amount required by law to be allocated to the LWCF federal land acquisition program.
- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,556	\$290,577,686	\$4,850,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$3,603,254	\$11,089,000
FY13	\$39.9 million **	\$3,414,784	\$10,443,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, an across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Live Oak Park Amphitheater	San Diego County	5/16/2012	\$214,000
Brentwood Park Development	City of Costa Mesa	5/16/2012	\$294,250
Griffith Recreation Center Development	City of Los Angeles	9/18/2002	\$389,614

Date: March 2014

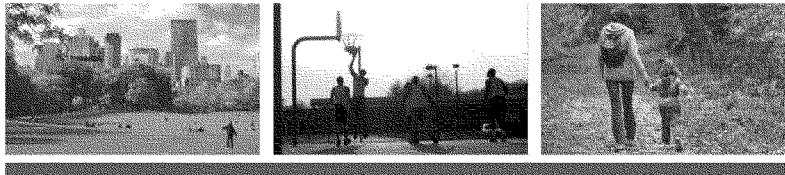
For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Colorado

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
982	\$60,721,623	\$625,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$734,450	\$2,255,000
FY13	\$39.9 million **	\$696,034	\$2,175,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Fossil Creek Trail at East Trilby Road	City of Fort Collins	8/15/2012	\$258,320
Cottonwood Creek Trail – Safe Passage	City of Colorado Springs	9/14/2011	\$222,713
Dog Off-Leash Area at Cherry Creek State Park	State of Colorado	9/14/2011	\$547,565

Date: March 2014

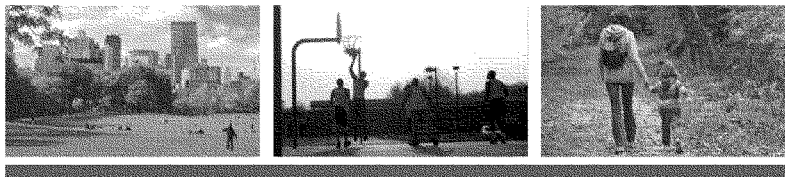
For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Connecticut

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
375	\$64,180,400	\$87,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$640,008	\$1,965,000
FY13	\$39.9 million **	\$606,532	\$1,832,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Facility Upgrades at Four State Recreation Sites	Connecticut Department of Energy & Environment	8/31/2012	\$1,200,000
Hammonasset Beach State Park Nature Center	Connecticut Department of Energy & Environmental Protection	9/9/2011	\$563,000
Silver Sands Boardwalk	Connecticut Department of Environmental Protection	9/11/2007	\$801,415

Date: March 2014

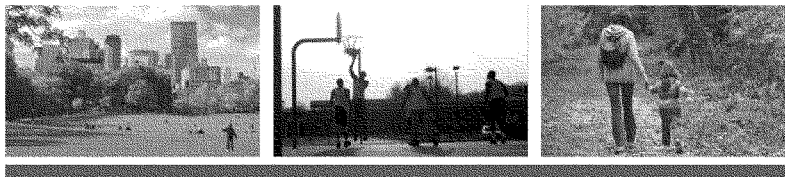
For more information about the impact of LWCF State Assistance in your state, visit <http://www.lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Delaware

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
- Co-Sponsor legislation (H.R. 2727) which protects the interest of states and local communities by requiring a minimum of 40% of the total annual LWCF funding is allocated to the LWCF State Assistance Program. This is the same amount required by law to be allocated to the LWCF federal land acquisition program.
- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965–2013	Total funding provided to the state from LWCF State Assistance 1965–2013	2012 Unmet Need
193	\$36,874,038	\$12,250,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$401,465	\$1,230,000
FY13	\$39.9 million**	\$380,466	\$1,172,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, an across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Cape Henlopen State Park – Primitive Cabins	DNREC – Division of Parks and Recreation	3/29/2012	\$300,000
Trap Pond State Park – Baldcypress Nature Center	DNREC – Division of Parks and Recreation	9/8/2009	\$100,000
Delaware Seashore State Park – Southeast Day Area	DNREC – Division of Parks and Recreation	9/9/2008	\$775,000

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Florida

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
530	\$133,173,530	\$32,129,870

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$1,878,632	\$5,777,000
FY13	\$39.9 million **	\$1,780,369	\$5,642,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Sims Park	City of NRE Port Richey	8/23/2012	\$200,000
Sanford Marina Day Boat Slips	City of Sanford	5/10/2012	\$200,000
Mobbly Bayou Wilderness Preserve	City of Oldsmar	3/26/2012	\$150,000

Date: March 2014

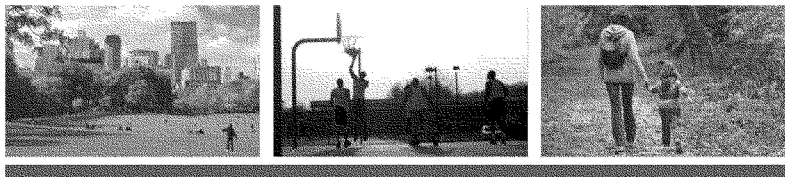
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Georgia

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,007	\$83,419,866	\$123,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$1,045,953	\$3,213,000
FY13	\$39.9 million **	\$991,244	\$3,146,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
City Park Playground	City of Maysville	8/30/2012	\$52,500
Wills Park-City Pool	City of Alpharetta	8/22/2012	\$105,000
City Pond Park-Miracle League Complex	City of Covington	8/21/2012	\$105,000

Date: March 2014

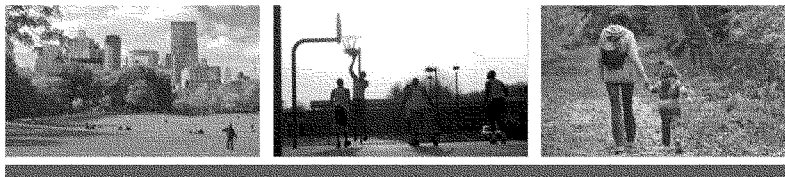
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www.nrpa.org/Advocacy

Hawaii

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
149	\$38,681,447	\$2,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$446,693	\$1,369,000
FY13	\$39.9 million **	\$423,329	\$1,299,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Ala Wai Community Park, Oahu	City and County of Honolulu	9/9/2011	\$518,656
Hapuna Beach State Recreation Area	Department of Land & Natural Resources	9/8/2010	\$100,000
Pana'ewa Rainforest Zoo and Gardens	County of Hawaii	9/8/2010	\$290,000

Date: March 2014

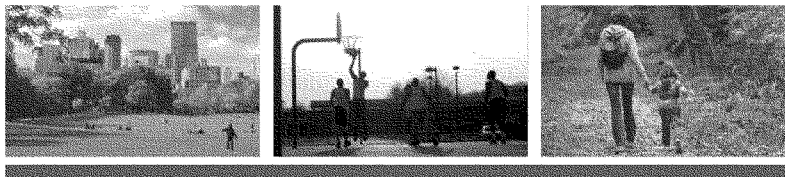
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www.nrpa.org/Advocacy

Idaho

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
432	\$39,445,141	\$4,222,729

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$441,329	\$1,353,000
FY13	\$39.9 million **	\$418,245	\$1,302,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Memorial Playground	City of Barcroft	9/20/2013	\$40,000
American Falls Skate Park	City of American Falls	4/5/2012	\$82,250
Majestic Park Development	City of Rathdrum	2/7/2012	\$117,927

Date: March 2014

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Illinois

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
846	\$158,283,767	\$669,382,200

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$1,451,699	\$4,464,000
FY13	\$39.9 million **	\$1,375,767	\$4,105,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Mossville Soccer Complex	Peoria Park District	8/18/2012	\$393,700
The Grove Addition	Glenview Park District	8/25/2011	\$750,000
Wise Ridge State Natural Area	Illinois Department of Natural Resources	7/23/2009	\$476,026

Date: March 2014

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Indiana

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
566	\$85,567,420	\$510,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$830,292	\$2,550,000
FY13	\$39.9 million **	\$786,863	\$2,398,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Robe Ann Park	City of Greencastle	9/13/2013	\$200,000
Riverside Garden Park	Leo-Cedarville Park Board	4/18/2012	\$199,550
Archbold Wilson Memorial Park	Ossian Park Board	4/9/2012	\$137,058

Date: March 2014

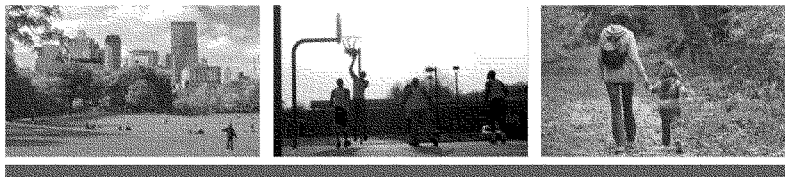
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www.nrpa.org/Advocacy

Iowa

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,223	\$55,084,859	\$249,500,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$552,351	\$1,694,000
FY13	\$39.9 million **	\$523,460	\$1,598,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
E.B. Lyons Interpretive Area	City of Dubuque	9/13/2013	\$175,000
Pool Renovation	City of Postville	12/8/2011	\$75,000
Bigelow Park Improvement	Woodbury County	9/8/2010	\$179,427

Date: March 2014

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Kansas

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965–2013	Total funding provided to the state from LWCF State Assistance 1965–2013	2012 Unmet Need
639	\$51,398,596	\$523,366,800

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$551,903	\$1,693,000
FY13	\$39.9 million **	\$523,035	\$1,599,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
43rd Avenue Park	City of Hutchinson	9/16/2013	\$200,000
Hillsdale State Park Campground	Department of Wildlife and Parks	9/16/2013	\$253,236
Perry State Park Improvements	Department of Wildlife & Parks	9/15/2009	\$170,000

Date: March 2014

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www.nrpa.org/Advocacy

Kentucky

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,280	\$60,239,893	\$9,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$630,368	\$1,934,000
FY13	\$39.9 million**	\$597,396	\$1,833,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Pikeville Bob Amos Park Horse Riding Area	City of Pikeville	8/7/2012	\$60,000
Calvert City Country Club Tennis Court	City of Calvert City	7/18/2012	\$50,000
Lake Reba Handicap Accessible Playground	City of Richmond	3/12/2012	\$50,000

Date: March 2014

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www.nrpa.org/Advocacy

Louisiana

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
720	\$71,872,068	\$215,068,823

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$693,004	\$2,127,000
FY13	\$39.9 million **	\$656,756	\$1,970,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Lamendola Dog Park	City of Gonzales	8/9/2012	\$200,000
William T. Polk City Park	City of Vidalia	8/9/2012	\$200,000
Cassidy Spray Park and Canoe Launch	City of Bogalusa	8/27/2012	\$200,000

Date: March 2014

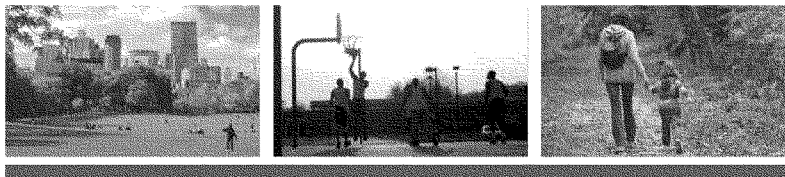
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Maine

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
841	\$41,355,424	\$34,500,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$412,512	\$1,264,000
FY13	\$39.9 million**	\$390,935	\$1,188,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, an across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Sebago Lake State Park Infrastructure Improvement	State of Maine, Bureau of Parks and Lands	7/13/2012	\$59,141
Colonial Pemaquid Pier Restoration Project	State of Maine, Bureau of Parks and Lands	7/12/2012	\$107,530
Standish Johnson Park Playground Project	Town of Standish	5/24/2012	\$27,966

Date: March 2014

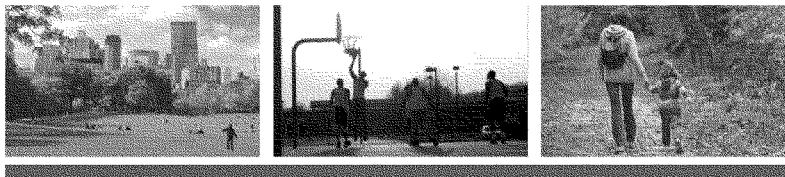
For more information about the impact of LWCF State Assistance in your state, visit <http://www.lwcf-nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Maryland

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
- Co-Sponsor legislation (H.R. 2727) which protects the interest of states and local communities by requiring a minimum of 40% of the total annual LWCF funding is allocated to the LWCF State Assistance Program. This is the same amount required by law to be allocated to the LWCF federal land acquisition program.
- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
333	\$79,839,087	\$79,909,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$815,659	\$2,505,000
FY13	\$39.9 million **	\$772,996	\$2,363,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, an across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Newtowne Neck State Park	Maryland Dept. of Natural Resources	9/13/2011	\$400,000
Spriggs Farm on the Magothy River	Maryland Dept. of Natural Resources	9/8/2010	\$700,000
Harriet Tubman Underground Railroad SP	Maryland Dept. of Natural Resources	9/9/2009	\$1,191,312

Date: March 2014

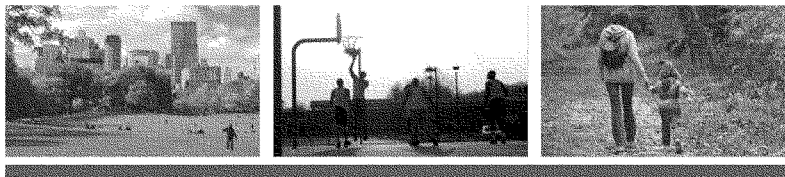
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www.nrpa.org/Advocacy

Massachusetts

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
452	\$97,645,198	\$17,229,602

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$915,594	\$2,813,000
FY13	\$39.9 million **	\$867,703	\$2,597,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Goodwill Park Playground	Town of Holliston	4/11/2011	\$111,587
Fisher Hill Reservoir Park	Town of Brookline	9/9/2010	\$500,000
Community Field	City of Holyoke	9/9/2010	\$500,000

Date: March 2014

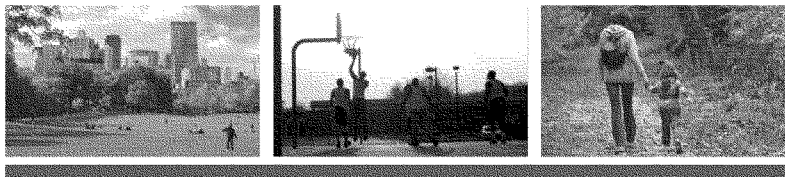
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www.nrpa.org/Advocacy

Michigan

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,752	\$129,468,099	\$370,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$1,139,797	\$3,503,000
FY13	\$39.9 million **	\$1,080,179	\$3,183,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, an across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Bayfront Phase I: Clinch Park Beach	City of Traverse City	7/18/2012	\$113,550
Crawford County Sports Complex	Crawford County	6/8/2012	\$113,550
Township Park Multi-Purpose Pavilion	Township of Plymouth	6/8/2012	\$113,550

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Minnesota

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,272	\$72,909,797	\$128,500,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$737,644	\$2,264,000
FY13	\$39.9 million **	\$699,061	\$2,142,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Forestville State Park	Department of Natural Resources	7/9/2012	\$489,662
Memorial Park	Douglas County	1/17/2012	\$50,000
Stan Holmass Memorial Park	City of Newfolden	1/17/2012	\$58,000

Date: March 2014

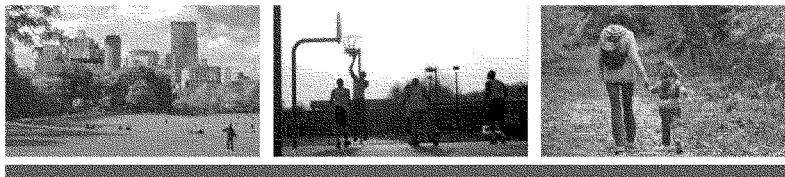
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Mississippi

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
560	\$47,521,308	\$90,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$527,054	\$1,616,000
FY13	\$39.9 million **	\$499,486	\$1,518,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Roosevelt State Park – Water Park	Dept. of Wildlife, Fisheries & Parks	3/29/2012	\$505,170
Great River Road Day Use Area	Dept. of Wildlife, Fisheries & Parks	8/27/2012	\$150,000
Tishomingo State Park – Swimming Pool	Dept. of Wildlife, Fisheries & Parks	12/17/2008	\$415,000

Date: March 2014

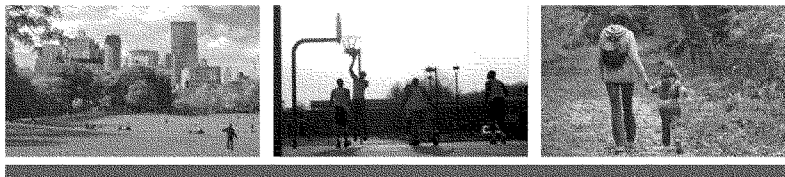
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www.nrpa.org/Advocacy

Missouri

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,290	\$85,099,474	\$2,093,050,638

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$787,059	\$2,416,000
FY13	\$39.9 million **	\$745,892	\$2,271,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Gerald City Park ADA Improvements	City of Gerald	8/21/2012	\$63,334
Houston Soccer Fields	City of Houston	8/1/2012	\$52,500
Parr Hill Trail Renovation and Extension	City of Joplin	6/18/2012	\$222,253

Date: March 2014

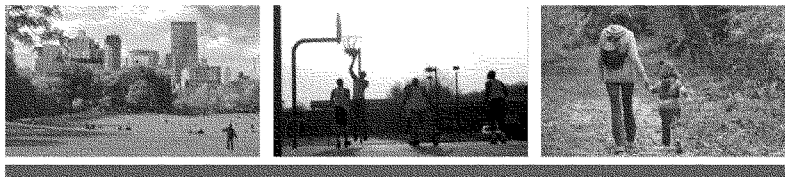
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www.nrpa.org/Advocacy

Montana

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
782	\$37,969,383	\$200,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$397,434	\$1,218,000
FY13	\$39.9 million**	\$376,646	\$1,154,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Shelby Splash Park	City of Shelby	8/23/2012	\$91,200
Whitehall Community Outdoor Recreation Park	Whitehall School District	8/23/2012	\$91,200
Mount Ascension Natural Park Expansion	City of Helena	8/23/2012	\$91,200

Date: March 2014

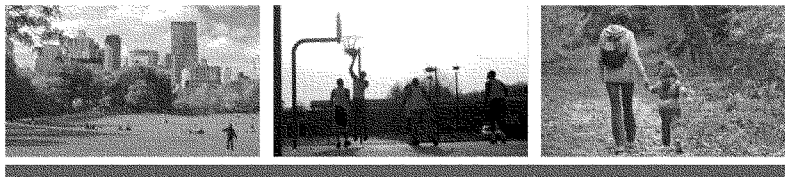
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www.nrpa.org/Advocacy

Nebraska

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
953	\$45,493,954	\$98,500,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$470,250	\$1,442,000
FY13	\$39.9 million **	\$445,653	\$1,366,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Cambridge Splash Pad	City of Cambridge	8/7/2012	\$62,500
Sportsman's Park	Village of Johnson	8/1/2012	\$112,004
Ceresco Playground Improvements-Ceresco	Village of Ceresco	5/21/2012	\$94,134

Date: March 2014

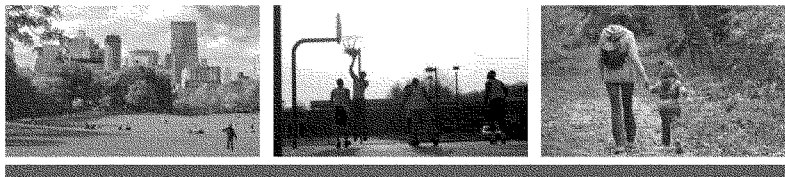
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Nevada

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
332	\$41,357,018	\$15,300,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$540,654	\$1,658,000
FY13	\$39.9 million **	\$512,375	\$1,643,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.dot.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Wildhorse SRA Campground Renovation	Nevada Division of State Parks	7/31/2012	\$150,000
Mogul Park Playground Resurface	Washoe County	2/6/2012	\$86,750
In-Town Skate Park Refurbish	City of Fernley	1/24/2012	\$42,450

Date: March 2014

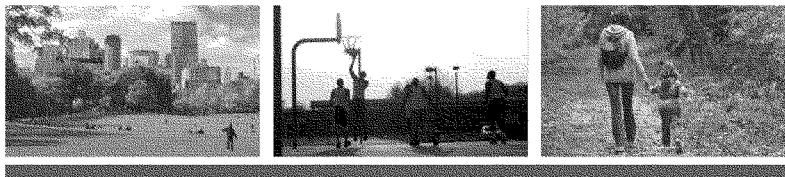
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www.nrpa.org/Advocacy

New Hampshire

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965–2013	Total funding provided to the state from LWCF State Assistance 1965–2013	2012 Unmet Need
647	\$37,228,390	\$103,555,400

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$424,156	\$1,300,000
FY13	\$39.9 million **	\$401,970	\$1,228,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Town of Belmont Pavilion and Riverwalk	Town of Belmont	6/20/2012	\$99,944
Newfound Pathway	Town of Hebron	3/16/2012	\$112,070
Carpenter Park Recreational Enhancement	Town of Chichester	1/31/2012	\$110,590

Date: March 2014

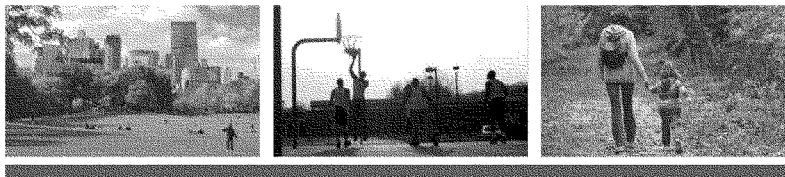
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www.nrpa.org/Advocacy

New Jersey

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
309	\$12,921,994	\$301,567,215

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$1,124,387	\$3,456,000
FY13	\$39.9 million **	\$1,065,575	\$3,193,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, an across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Island Beach State Park	New Jersey Department of Environmental Protection	9/20/2013	\$1,038,000
Riverfront Park	New Jersey Department of Environmental Protection	8/28/2012	\$679,335
Addition to Forest Education Resources Center	New Jersey Department of Environmental Protection	9/6/2011	\$360,000

Date: March 2014

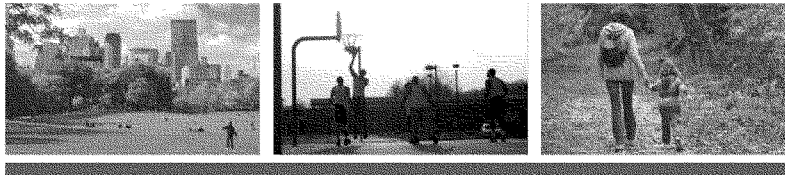
For more information about the impact of LWCF State Assistance in your state, visit <http://www.lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

New Mexico

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
- Co-Sponsor legislation (H.R. 2727) which protects the interest of states and local communities by requiring a minimum of 40% of the total annual LWCF funding is allocated to the LWCF State Assistance Program. This is the same amount required by law to be allocated to the LWCF federal land acquisition program.
- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,024	\$41,632,345	\$239,400,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$489,038	\$1,500,000
FY13	\$39.9 million **	\$463,459	\$1,430,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Oasis State Park Development	New Mexico State Parks	7/23/2012	\$175,000
Bluewater Lake State Park Development	New Mexico State Parks	7/23/2012	\$400,000
Pancho Villa State Park Development	New Mexico State Parks	7/23/2012	\$175,000

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

New York

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965–2013	Total funding provided to the state from LWCF State Assistance 1965–2013	2012 Unmet Need
1,201	\$234,379,050	\$1,345,964,742

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$2,030,805	\$6,247,000
FY13	\$39.9 million **	\$1,924,583	\$5,693,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Sunken Meadow Golf Course Irrigation	New York State OPRHP	8/31/2012	\$1,200,000
Installation of Playground Equipment at 4 Parks	New York State OPRHP	7/26/2012	\$60,000
Chenango Valley State Park – Water Systems	New York State OPRHP Central Region	9/9/2011	\$525,000

Date: March 2014

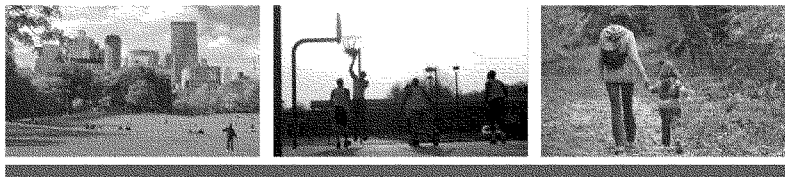
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North Carolina

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
892	\$80,439,260	\$1,378,948,051

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$983,747	\$3,020,000
FY13	\$39.9 million **	\$932,292	\$2,988,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Research Triangle Park	Town of Morrisville	9/13/2013	\$200,000
Neighborhood Park	Town of Castalia	9/13/2013	\$200,000
Burt Gillette Athletic Complex	City of Wilson	1/16/2008	\$100,000

Date: March 2014

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www.nrpa.org/Advocacy

North Dakota

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965–2013	Total funding provided to the state from LWCF State Assistance 1965–2013	2012 Unmet Need
1,175	\$35,567,721	\$100,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$377,509	\$1,156,000
FY13	\$39.9 million **	\$357,763	\$1,095,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Grahams Island State Park Campground Development	State of North Dakota	7/27/2012	\$316,680
Bismarck Lions Park Playground Renovation	Bismarck Park District	1/5/2012	\$95,362
Beulah Central Park Playground Renovation	Beulah Park District	1/5/2012	\$26,445

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://www.lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Ohio

Land and Water Conservation Fund State Assistance Program



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,196	\$147,029,031	\$23,714,406

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$1,281,884	\$3,940,000
FY13	\$39.9 million**	\$1,214,835	\$3,611,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Elyria Township - The Rowland Nature Preserve	Elyria Township	7/16/2012	\$71,696
Winesburg Park	Paint Township Trustees	3/30/2012	\$54,320
Hiram School Park	Village of Hiram	3/21/2012	\$75,250

Date: March 2014

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www.nrpa.org/Advocacy

Oklahoma

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,061	\$56,335,961	\$4,580,640

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$606,648	\$1,861,000
FY13	\$39.9 million **	\$574,917	\$1,758,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Sunrise Park Splashpad	City of Yukon	8/28/2012	\$107,200
Hennessey Park & Aquatic Center -- Phase I	Town of Hennessey	8/13/2012	\$390,709
Collinsville City Park	City of Collinsville	8/13/2012	\$132,303

Date: March 2014

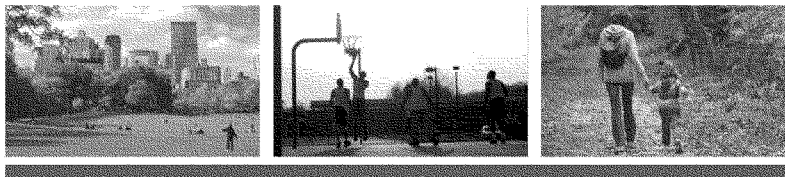
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Oregon

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,350	\$59,121,585	\$5,314,495

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$634,155	\$1,946,000
FY13	\$39.9 million **	\$600,985	\$1,857,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Pioneer Park Development	City of Silverton	8/30/2012	\$140,888
Valley of The Rogue & Tumalo State Park Rehab	Oregon Parks and Recreation	7/24/2012	\$414,808
Lake Ewauna Trail – Phase 2	City of Klamath Fall and Klamath County	8/24/2011	\$72,516

Date: March 2014

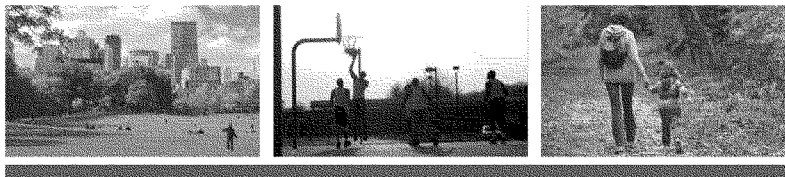
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Pennsylvania

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,443	\$164,822,875	\$24,300,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$1,366,663	\$4,201,000
FY13	\$39.9 million **	\$1,295,179	\$3,893,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Altoona City – Juniata Memorial Spray Park	Altoona City	8/28/2012	\$318,500
York City – Penn Park Phase I	York City	8/28/2012	\$265,000
Brentwood Borough – Brentwood Community Park	Brentwood Borough	9/1/2011	\$838,000

Date: March 2014

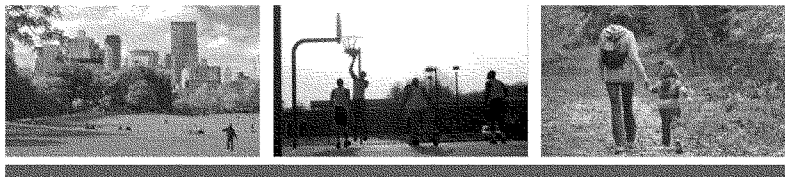
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Rhode Island

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
336	\$39,982,294	\$4,722,500

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$425,690	\$1,305,000
FY13	\$39.9 million **	\$403,424	\$1,220,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
East Matunuck State Beach	State of Rhode Island Department of Environmental Management	4/11/2011	\$727,845
Ponagansett River Greenway	State of Rhode Island Department of Environmental Management	4/26/2006	\$281,280

Date: March 2014

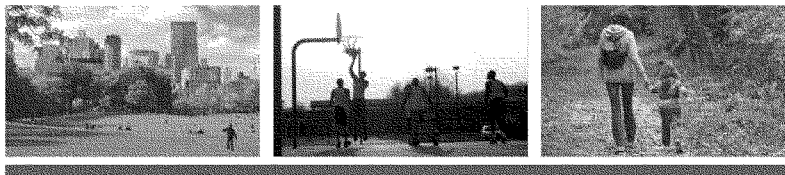
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South Carolina

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,144	\$60,091,357	\$220,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$651,500	\$1,999,000
FY13	\$39.9 million **	\$617,423	\$1,944,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
McCleod Plantation Park	County of Charleston Park & Recreation Commission	9/18/2013	\$250,000
Riverview Park Adaptive Playground	City of North Augusta	9/4/2012	\$100,000
Givhans Ferry Stae Park River Access	SC Department of Parks, Recreation & Tourism	9/4/2012	\$150,000

Date: March 2014

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www.nrpa.org/Advocacy

South Dakota

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,435	\$37,571,425	\$26,250,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$385,024	\$1,179,000
FY13	\$39.9 million **	\$364,885	\$1,121,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Starline Park Project	City of Sturgis	9/12/2013	\$29,486
Blood Run Road/Comfort Station	State of South Dakota	7/24/2012	\$179,096
Madison Westside Park Tennis/Basketball Court	City of Madison	12/15/2010	\$46,376

Date: March 2014

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Tennessee

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

- Support the reauthorization of the LWCF, including full and dedicated funding.
- Co-Sponsor legislation (H.R. 2727) which protects the interest of states and local communities by requiring a minimum of 40% of the total annual LWCF funding is allocated to the LWCF State Assistance Program. This is the same amount required by law to be allocated to the LWCF federal land acquisition program.
- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
739	\$73,583,308	\$1,500,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$786,939	\$2,416,000
FY13	\$39.9 million **	\$745,778	\$2,312,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

* In FY12, the final conference appropriations bill provided \$45 million for the LWCF State Assistance Program. However, on across the board government funding cut resulted in that number being reduced to \$42,138,000 which is the amount apportioned to states.

** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
So. Cumberland State Park Playground Development	Tennessee State Parks	9/18/2013	\$59,866
Pickwick Landing State Park Playground	Tennessee State Parks	8/30/2012	\$36,610
T.O. Fuller State Park – Nature Center	Tennessee State Parks	8/31/2011	\$466,527

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Texas

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965–2013	Total funding provided to the state from LWCF State Assistance 1965–2013	2012 Unmet Need
1,020	\$179,281,106	\$86,723,981

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$2,297,113	\$7,063,000
FY13	\$39.9 million **	\$2,176,962	\$6,987,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Rotary Park	City of Fort Worth	9/17/2013	\$110,000
Shady Lane Park	City of Houston	9/17/2013	\$220,000
Willacy County Laguna Point Recreation Area	Willacy County	9/1/2011	\$500,000

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Utah

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
459	\$49,315,822	\$376,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$551,042	\$1,690,000
FY13	\$39.9 million **	\$522,220	\$1,645,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Sky Ridge Park	City of Hurricane	7/11/2012	\$148,117
Salt Hollow Park	City of Hyrum	1/26/2012	\$150,000
Fairview City Sports Park	Fairview City	2/15/2011	\$200,379

Date: March 2014

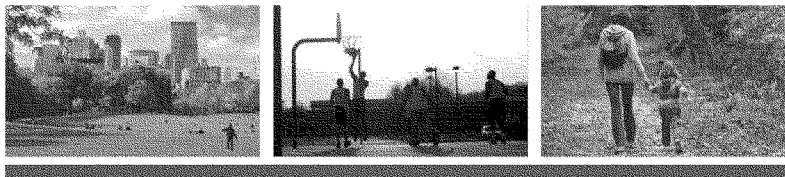
For more information about the impact of LWCF State Assistance in your state, visit <http://wasb-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Vermont

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
628	\$33,127,915	\$10,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$368,626	\$1,129,000
FY13	\$39.9 million **	\$349,345	\$1,067,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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** In FY 13, LWCF State Assistance was funded at \$42,138,000. However, the final amount apportioned to states was \$39,934,400 which reflected the mandatory spending cuts caused by "sequestration."

PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Cabin Construction – Three State Parks	State of Vermont, Department of Forests and Parks	2/18/2011	\$153,638
Lyndon Skate Park	Town of Lyndon	2/14/2011	\$32,220
Newark Street Playground	Town of Newark	2/10/2011	\$20,000

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://www.lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Virginia

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
391	\$83,710,586	\$870,126,170

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$939,443	\$2,885,000
FY13	\$39.9 million **	\$890,305	\$2,770,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Paradise Creek Nature Park	City of Portsmouth	9/20/2013	\$168,550
Sleepy Hole Park Boat Ramp	City of Suffolk	8/20/2012	\$125,000
Chessie's Big Backyard at Lee District Park	Fairfax County Park Authority	8/15/2012	\$200,000

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://www.nrpa.org/Advocacy>

Washington

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



NRPA POLICY POSITION:

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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
582	\$72,297,429	\$241,200,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$869,140	\$2,669,000
FY13	\$39.9 million **	\$823,679	\$2,564,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Claybell Park Redevelopment	City of Richland	8/6/2012	\$399,231
Shane Park Playground	City of Port Angeles	8/6/2012	\$40,875
Kandle Park Aquatics Facility	Metropolitan Park District of Tacoma	1/18/2011	\$509,900

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

West Virginia

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
454	\$45,533,006	\$44,195,063

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$451,386	\$1,383,000
FY13	\$39.9 million **	\$427,776	\$1,306,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Wheeling Park Stifel Playground	Wheeling Park Commission	9/20/2013	\$100,000
Veterans Memorial Park	City of Clarksburg	9/20/2013	\$100,000
Pool Park Complex	Pleasants County Parks & Rec. Commission	9/20/2013	\$100,000

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.hrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Wisconsin

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
1,784	\$76,563,525	\$15,000,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$762,714	\$2,342,000
FY13	\$39.9 million**	\$722,820	\$2,202,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Abendschein Park Development	City of Oak Creek	8/13/2012	\$202,965
Simmons Island Park Boardwalk	City of Kenosha	8/3/2012	\$250,026
Wyalusing State Park-Homestead Campground Shower	Dept. of Natural Resources	6/4/2012	\$250,837

Date: March 2014

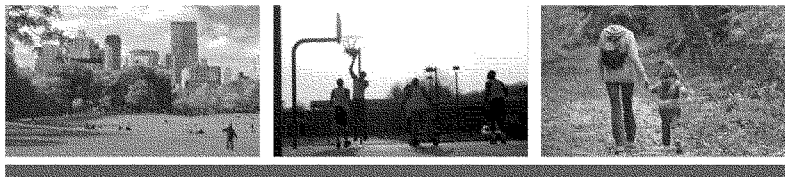
For more information about the impact of LWCF State Assistance in your state, visit <http://waso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Wyoming

Land and Water Conservation Fund State Assistance Program



National Recreation
and Park Association



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- In absence of authorizing legislation, exercise discretionary appropriations authority to allocate at least 40% of the total LWCF funding in FY15 to the State Assistance Program.

LWCF STATE ASSISTANCE AT WORK IN THE STATE

All data provided by National Park Service (NPS)

Total number of projects funded in state by LWCF State Assistance 1965-2013	Total funding provided to the state from LWCF State Assistance 1965-2013	2012 Unmet Need
839	\$34,514,777	\$500,000

The chart below shows how the state has fared in recent years and the impact to the state through a 40% allocation.

	Amount Appropriated to the State Assistance Program	State allocation	What state would have received with 40% allocation
FY12	\$45 million*	\$371,027	\$1,136,000
FY13	\$39.9 million **	\$351,620	\$1,077,000

LWCF appropriations totalled \$322.5 million in FY12 and \$305.4 million in FY13. Source: www.doi.gov/budget/upload/LWCFRECEIPTS.xls

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PROJECTS FUNDED BY LWCF STATE ASSISTANCE:

Project	Recipient	Date Approved	Amount
Undine Park Splash Pad – Phase 2	City of Laramie	8/24/2012	\$58,075
West View Park	City of Moorcroft	8/23/2012	\$90,916
Holiday Park Expansion	City of Cheyenne	8/23/2012	\$31,193

Date: March 2014

For more information about the impact of LWCF State Assistance in your state, visit <http://wiso-lwcf.nrc.nps.gov/public/index.cfm>
www.nrpa.org/Advocacy

Table 1: Inventory
(page 1 of 5)

Inventory pertains to the real property assets of a state park system, i.e. the various areas of land and water managed directly by the state parks agency. Inventory is measured in terms of number of areas and total acreage.

STATE	Parks			Recreation Areas			Natural Areas		
	Number	Number Operating	Acreage	Number	Number Operating	Acreage	Number	Number Operating	Acreage
Alabama	22	22	48,164	-	-	-	-	-	-
Alaska	48	48	2,998,258	80	80	337,874	1	1	49,320
Arizona	14	14	21,915	1	1	686	3	2	29,869
Arkansas	10	10	23,668	19	19	10,295	2	2	17,457
California	88	88	1,167,149	105	105	344,016	16	16	71,135
Colorado	27	26	122,547	16	16	97,838	116	92	176,848
Connecticut	42	42	23,124	-	-	-	48	48	9,812
Delaware	16	16	20,411	2	2	260	13	6	4,917
Florida	52	56	262,303	34	34	28,133	34	36	369,660
Georgia	49	49	84,569	-	-	-	-	-	-
Hawaii	16	16	18,447	12	12	1,433	1	1	6,175
Idaho	19	19	33,083	-	-	-	4	4	13,723
Illinois	44	44	77,523	22	22	62,371	117	117	48,906
Indiana	24	25	63,126	1	-	700	-	-	-
Iowa	59	59	42,279	12	12	14,445	-	-	-
Kansas	25	25	32,900	-	-	-	-	-	-
Kentucky	17	17	29,997	23	23	12,427	-	-	-
Louisiana	29	22	34,124	-	-	-	6	1	7,002
Maine	13	13	28,123	77	62	28,744	17	11	38,820
Maryland	66	66	134,539	-	-	-	-	-	-
Massachusetts	85	79	65,097	4	4	6,600	-	-	-
Michigan	69	64	184,819	236	236	105,816	5	5	1,339
Minnesota	66	66	258,007	9	9	25,754	-	-	-
Mississippi	24	24	23,891	-	-	-	1	1	700
Missouri	51	48	143,684	-	-	-	-	-	-
Montana	54	54	44,235	-	-	-	-	-	-
Nebraska	8	8	31,680	59	59	101,394	-	-	-
Nevada	13	13	82,185	6	6	57,699	-	-	-
New Hampshire	34	34	63,340	19	18	13,581	18	18	6,466
New Jersey	39	39	129,427	3	3	6,331	9	8	1,523
New Mexico	35	35	189,216	-	-	-	1	1	5,624
New York	180	180	334,339	332	332	31,101	1,369	1,369	2,927,075
North Carolina	35	34	155,556	4	4	13,256	20	3	23,896
North Dakota	13	13	14,224	9	8	3,230	9	15	4,323
Ohio	74	74	173,887	-	-	-	-	-	-
Oklahoma	31	31	66,973	3	3	2,418	1	1	640
Oregon	51	49	59,768	74	71	8,778	32	26	14,678
Pennsylvania	113	113	290,247	-	-	-	3	3	2,241
Rhode Island	27	24	8,897	-	-	-	-	-	-
South Carolina	41	41	86,370	-	-	-	-	-	-
South Dakota	13	13	76,980	43	43	14,790	5	5	2,370
Tennessee	40	40	127,470	-	-	-	4	4	35,417
Texas	76	74	523,142	-	-	-	8	7	100,189
Utah	42	42	147,652	2	2	300	-	-	-
Vermont	69	52	51,275	-	-	-	33	33	19,285
Virginia	36	36	66,639	-	-	-	-	-	-
Washington	119	118	98,984	20	14	10,716	12	7	1,509
West Virginia	24	24	80,337	-	-	-	2	2	262
Wisconsin	61	59	75,580	8	8	18,453	-	-	-
Wyoming	11	11	116,195	1	1	1,009	-	-	-
Total	2,214	2,169	9,036,345	1,236	1,209	1,360,447	1,910	1,845	3,991,181

Table 1: Inventory
(page 4 of 5)

STATE	Total Areas			Total Trails		
	Number	Number Operating	Acreage	Number	Number Operating	Miles
Alabama	22	22	48,164	119	119	194
Alaska	139	139	3,386,702	102	102	550
Arizona	31	30	64,090	81	81	124
Arkansas	52	52	54,466	143	143	409
California	280	280	1,624,216	2,323	2,323	4,755
Colorado	613	588	1,238,488	466	466	728
Connecticut	138	138	206,988	6	6	95
Delaware	34	26	26,071	64	64	161
Florida	171	171	758,031	549	549	2,294
Georgia	64	64	92,880	303	303	543
Hawaii	68	68	33,780	44	44	92
Idaho	32	29	58,922	3	3	108
Illinois	322	322	480,818	6	6	262
Indiana	35	36	172,180	-	-	-
Iowa	188	177	71,234	1	1	6
Kansas	25	47	163,975	2	2	82
Kentucky	51	51	45,180	178	178	333
Louisiana	61	37	43,851	26	26	132
Maine	139	115	98,298	14	14	331
Maryland	66	66	134,539	27	27	789
Massachusetts	339	317	353,889	35	35	2,145
Michigan	315	310	293,703	24	24	644
Minnesota	1,719	1,719	287,029	25	25	1,323
Mississippi	25	25	24,591	38	38	115
Missouri	87	85	207,219	242	242	980
Montana	66	66	46,035	-	-	-
Nebraska	77	77	135,464	2	2	324
Nevada	25	23	146,225	114	114	290
New Hampshire	91	90	231,164	131	131	3,864
New Jersey	118	112	444,170	378	378	990
New Mexico	39	39	196,677	60	60	140
New York	3,220	3,220	4,264,102	292	292	5,438
North Carolina	70	41	221,843	4	-	806
North Dakota	37	40	34,792	36	36	3,252
Ohio	74	74	173,887	498	498	1,498
Oklahoma	35	35	70,031	36	36	402
Oregon	256	220	108,499	6	6	154
Pennsylvania	120	120	297,170	963	963	1,470
Rhode Island	79	67	9,630	16	16	112
South Carolina	56	56	90,167	153	153	370
South Dakota	131	131	101,987	129	129	1,922
Tennessee	55	55	168,617	220	220	998
Texas	97	94	629,339	3	3	97
Utah	50	50	150,758	105	105	302
Vermont	103	86	70,570	47	47	249
Virginia	43	37	71,704	298	298	508
Washington	208	177	121,983	5	5	467
West Virginia	47	47	177,133	2	2	149
Wisconsin	80	78	156,508	42	39	2,021
Wyoming	41	41	119,559	286	286	129
Total	10,234	9,990	18,207,318	8,647	8,640	43,146

Table 3A: Visitation and Use - Attendance
(page 2 of 7)

STATE	Total of All Areas		Total
	Day	Overnight	
Alabama	3,456,559	1,162,709	4,619,268
Alaska	3,950,144	688,814	4,638,958
Arizona	1,638,583	672,161	2,310,744
Arkansas	7,251,133	833,364	8,084,497
California	68,780,955	6,776,332	75,557,287
Colorado	9,725,998	2,222,402	11,948,400
Connecticut	8,005,543	279,733	8,285,276
Delaware	4,795,817	241,526	5,037,343
Florida	24,689,379	2,482,727	27,172,106
Georgia	6,462,097	1,036,379	7,498,476
Hawaii	13,968,607	63,120	14,031,727
Idaho	4,777,250	230,886	5,008,136
Illinois	39,422,003	742,626	40,164,629
Indiana	13,681,243	3,115,209	16,796,452
Iowa	16,335,146	855,159	17,190,305
Kansas	6,214,573	442,708	6,657,281
Kentucky	5,906,989	979,665	6,886,654
Louisiana	1,061,500	685,912	1,747,412
Maine	2,320,686	237,430	2,558,116
Maryland	9,557,326	770,070	10,327,396
Massachusetts	29,356,609	662,694	30,019,303
Michigan	18,986,148	4,339,204	23,325,352
Minnesota	7,874,598	982,973	8,857,571
Mississippi	439,187	689,775	1,128,962
Missouri	16,444,376	2,092,728	18,537,104
Montana	1,829,089	297,759	2,126,848
Nebraska	12,059,809	545,151	12,604,960
Nevada	3,008,620	208,505	3,217,125
New Hampshire	958,537	169,610	1,128,147
New Jersey	15,380,627	140,719	15,521,346
New Mexico	1,366,970	2,481,162	3,848,132
New York	58,073,966	2,772,689	60,846,655
North Carolina	14,445,293	326,675	14,771,968
North Dakota	913,622	234,623	1,148,245
Ohio	40,499,439	2,367,061	42,866,500
Oklahoma	7,479,196	1,303,703	8,782,899
Oregon	43,815,369	2,470,526	46,285,895
Pennsylvania	36,401,192	1,598,498	37,999,690
Rhode Island	1,142,393	91,384	1,233,777
South Carolina	7,330,153	400,669	7,730,822
South Dakota	6,856,800	951,256	7,808,056
Tennessee	30,523,097	1,540,033	32,063,130
Texas	4,461,762	2,300,741	6,762,503
Utah	2,759,121	777,583	3,536,704
Vermont	552,777	409,166	961,943
Virginia	7,942,721	1,095,179	9,037,900
Washington	31,567,608	2,229,051	33,796,659
West Virginia	7,043,021	660,610	7,703,631
Wisconsin	14,939,338	586,681	15,526,019
Wyoming	3,494,988	422,519	3,917,507
Total	679,947,957	59,667,859	739,615,816

The CHAIRMAN. Thank you, Mr. Ledford.
Ms. Scarlett?

**STATEMENT OF LYNN SCARLETT, MANAGING DIRECTOR,
PUBLIC POLICY, THE NATURE CONSERVANCY**

Ms. SCARLETT. Chairman Murkowski and Senator Cantwell and all members of this Committee, thank you for inviting me to testify.

The Nature Conservancy, where I now direct public policy globally, has over 60 years of pioneering private conservation in cooperation with agencies and thousands of private landowners across this nation. I've had the opportunity to meet many of you during my nearly eight year tenure at the Department of the Interior in the George W. Bush Administration.

Madam Chairwoman, Secretary Cantwell and other members on this Committee, I appreciate your leadership in striving to address the conservation and resource management needs of this nation.

The Land and Water Conservation Fund over these past 50 years has helped our nation address many conservation and resource management challenges, Federally, in states and locally. Three issues point to why LWCF is as relevant today as it was 50 years ago.

First is the role public lands play in enhancing economic well being. Second is the role the Land and Water Conservation Fund plays in improving the capacity of public land managers to manage these lands effectively and efficiently. Third is the role the Land and Water Conservation Fund plays in helping maintain the very natural systems upon which all life depends. Watersheds, for example, store water and keep it clean. Coastal systems can reduce impacts from coastal storms.

Let me turn first to economic benefits. Many analysts have documented the direct economic benefits of Federal and State public lands through, for example, outdoor recreation opportunities. These benefits are important, but they are just a drop in the overall economic benefit bucket. Increasingly this nation has become what economist, Ray Rasker, refers to as a knowledge-based economy of finance, marketing design and management.

As this shift occurs Rasker notes, and I quote, "The bulk of economic value of public lands lies in its ability to attract people and their businesses who want to live near protected lands for quality of life reasons."

Let me turn now to the issue of efficiency. Concerns about future land investments arise in the context of significant maintenance backlogs both on Federal and State lands. I appreciate these concerns. During the Bush Administration I spent hundreds of my personal hours on this issue.

The Land and Water Conservation Fund complements sound public management. In many cases LWCF investments actually contribute to management efficiencies. One example illustrates how continued acquisitions of this sort can improve that efficiency. At Mount Rainier National Park, for example, LWCF funding allowed for purchase of lands enabling a campground to be relocated out of an expensive and flood prone area in which flood maintenance costs for a single year were \$750 million.

I now turn to the third benefit of continued LWCF investments. I want to draw the Committee's attention to the broad role that nature and natural systems play in sustaining thriving communities. I sometimes sum up those benefits by saying nature is not just nice it is essential. I have already noted that watersheds help store water and sustain clean water supplies. Protecting coastal systems can also contribute to coastal community's safety.

Consider for example investments in Massachusetts in the Silvio O. Conte National Wildlife Refuge, a refuge contiguous with the area's watershed. Land acquisitions there contributed to the goals of the Massachusetts Water Resources Authority which has avoided the need to build a \$250 to \$350 million filtration plant because of implementing a water supply improvement program that includes investment in protection of watershed lands.

It also contributes, of course, fundamentally to sustaining water quality for communities within the watershed. In the Cascades the Land and Water Conservation Fund supported land acquisitions that are also contributing to water retention and storage.

No brief testimony can do justice to 50 years of results that the LWCF has generated for the American public, but as we look to reauthorizing it we need to ask some basic design questions as Chairman Murkowski did.

Let me suggest three design principles.

First is program flexibility. It is important as circumstances vary by location and over time. Maintaining flexibility in the statute itself while preserving annual congressional authority to review and approve how funds are allocated best aligns with the realities of annual variations in needs.

Second, dedicated funding.

The third principle, enhancing public access to outdoor recreation. I appreciate the opportunity to testify, and I look forward to working with the Committee and Madam Chairman, as you consider reauthorization of the Land and Water Conservation Fund.

Thank you.

[The prepared statement of Ms. Scarlett follows:]

U.S. Senate Committee on Energy & Natural Resources

Hearing on the Land and Water Conservation Fund

April 22, 2015

Testimony by Lynn Scarlett
Managing Director, Public Policy
The Nature Conservancy

Madam Chairwoman Murkowski, Senator Cantwell, and All Members of the Committee;

Thank you for inviting me to testify at this hearing on the Land and Water Conservation Fund (LWCF), its legacy, and its future. I have had the opportunity to meet with many of you during my nearly eight-year tenure at the Department of the Interior in the G.W. Bush Administration, including nearly three years as Deputy Secretary and Chief Operating Officer of the Department.

During my tenure at the Interior Department, I became familiar with LWCF and the broader and complex context within which LWCF plays a part. I now serve as the global Managing Director of Public Policy at The Nature Conservancy, an organization with over 60 years of pioneering private conservation in coordination and cooperation with federal, state, local, and tribal governments and thousands of private landowners across the nation.

Madame Chairwoman, Senator Cantwell, and others on this committee, I appreciate your leadership in striving to address the conservation and resource management needs of this nation. The challenges are many. They include fiscal constraints, the evolving requirements of reducing risks of catastrophic wildland fires, the importance of ensuring secure and clean water supplies for all of America's communities, the need to power our homes and businesses, the bedrock importance of enhancing economic opportunity, and the imperatives of sustaining healthy lands and wildlife and outdoor recreation opportunities for each and every American.

The Land and Water Conservation Fund, over these past 50 years, has helped address many of these challenges—and, through its reauthorization, I believe it will continue to help this nation sustain healthy lands and waters and the associated outdoor recreation access such areas provide; help support thriving communities, and contribute to dynamic economies.

I will: 1) highlight three significant benefits of the LWCF and their importance to this nation's continued well-being; and 2) briefly address several "design issues" as this Committee and the Congress consider

reauthorization of the Act. But, first, let me turn briefly to a summary of the Act and some of its contributions.

LWCF Legacy in Brief

Since 1965, the LWCF has invested over \$16 billion in land and water conservation and outdoor recreation across every state and several territories. Ninety-eight percent of all counties in the United States have received some direct investments from LWCF funding. Over 42,000 grants of \$4 billion have supported protection of 3 million acres of recreation lands and over 29,000 recreation facility projects in states, matched by local monies and driven by local priorities. And, at the federal level, national parks, refuges, and forests have been created or enhanced through LWCF funding. These national lands protect our history; they ensure outdoor recreation opportunities that tally up some 407 million visits each year; they secure opportunities for fishing, hunting, and countless other outdoor activities.

The program has evolved in modest ways to include such programs as the Forest Legacy Program and the Cooperative Endangered Species (ESA Section 6) program; the Highlands Conservation Act, and an American Battlefield Protection Program. But the Act has remained constant in its basic mission, as set forth by the Congress 50 years ago. That mission is:

[T]o assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations . . . such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable . . . to strengthen the health and vitality of the citizens of the United States by (1) providing funds for and authorizing Federal assistance to the States in planning, acquisition, and development of needed land and water areas and facilities and (2) providing funds for the Federal acquisition and development of certain lands and other areas.

As significant as the purposes of the Act is its source of funding. LWCF investments derive not from taxpayer dollars but from a small portion (\$900 million) of offshore oil and gas revenues that now typically range from \$6 billion to over \$18 billion per year. This funding source is significant, because it reflects congressional understanding, at the time the Act was passed, that even as the nation benefits from development of some federal energy resources, so, too, does the nation benefit from protecting and conserving lands, waters and wildlife for present and future generations.

The mission and corresponding investment of LWCF funds have sustained widespread, bipartisan support of the 50-year history of the program. A 2013 survey shows 85 percent of voters supporting continued investment of funds from offshore oil and gas revenues in the LWCF program.

LWCF—Looking Ahead

All public programs warrant periodic review and assessment of their continued relevance to addressing national issues and challenges. Three issues point to why LWCF is as relevant—indeed, perhaps, more relevant—today as it was 50 years ago. First is the role public lands play in enhancing economic well-being. Second is the role LWCF, specifically, plays in improving the capacity of public land managers to manage these lands efficiently and effectively. Third is the role LWCF plays in supporting conservation

investments with immense benefits for people and wildlife. These conservation investments not only sustain opportunities for outdoor recreation and protect historic sites; they also help maintain the very natural systems—watersheds that store water and keep it clean, coastal systems that reduce impacts from storms, vegetation that supports pollinators—upon which all life depends.

Economic Benefits

Federal agencies, the outdoor recreation community, and academic analysts have all documented the direct economic benefits of federal (and state) public lands. The Outdoor Industry Foundation estimates that outdoor recreation generates some \$730 billion each year to the U.S. economy. The National Parks Conservation Association estimates that some \$13 billion flows annually to towns that are gateways to national parks.

These economic benefits are important. But they miss what is perhaps most significant: increasingly, as this nation has become what economist Ray Rasker refers to as a “knowledge-based economy” of finance, marketing, design, management, and so on, “companies,” he writes, “seeking to attract employees place a premium on locating in places with amenities...” Rasker continues, noting that the “bulk of the economic value of public lands lies in its ability to attract people—and their businesses—who want to live near protected lands for quality of life reasons.” (Rasker, 2009, “Economic Benefits of the LWCF”). Rasker’s research, and that of numerous other economists, suggests that there is actually “little evidence of an economic downside from public lands”. Instead, the evidence points toward such public lands as assets that attract investment and skilled workers to communities.

Such conclusions are not simply academic abstractions. A poll of one county in Utah with significant state and federal public lands shows nearly two-thirds of businesses viewing public lands as extremely important to their businesses. Similar results emerge in other communities. Or, consider results of a 2002 National Association of Homebuilders survey on that found that “trails are a top amenity (behind highway access) sought out by potential homeowners.”

But let me offer a few examples. In 2008, the Bair Ranch Foundation contacted the U.S. Fish and Wildlife Service to present the idea of a public purchase of their property. In a model partnership that included the Bair Foundation, the Rocky Mountain Elk Foundation, and others, an eight thousand-acre land acquisition was orchestrated. The lands provide high quality water for a world class fishery; habitat for species of concern; and recreational opportunities for hunting, fishing, hiking, and snowmobiling. The lands contribute to the Meager County, Montana economy; ensure public access to lands; maintain traditional uses; and provide opportunities for coordinated management among different agencies and partners. LWCF was a key source of support for this effort.

Or consider Willapa Bay and Ellsworth Creek, in southwest Washington. Since 2000, The Nature Conservancy has engaged in a joint management plan with a national wildlife refuge. The Conservancy owns 7,500 acres adjacent to a 7,500 acre refuge of which over one-quarter was acquired using LWCF monies. Revenues from forest thinning on the lands go back into stewardship and management of the lands, supporting local jobs and contractors; protected areas help ensure clean water that supports a \$30 million per year oyster industry in Willapa Bay.

Efficiency Gains

This nation benefits from many national parks, wildlife refuges, national forests, and multiple use public lands managed by the Bureau of Land Management. In addition, states and local governments manage public parks and other lands. Looking at the future of LWCF, some have suggested that, perhaps, the task set forth 50 years ago is completed—that the nation needs no new public lands or other LWCF investments. In particular, concerns about future land investments arise in the context of significant maintenance backlogs—both on federal lands and state lands. I appreciate these concerns. During the GW Bush Administration, we targeted the maintenance backlogs—in parks and other public lands—and put in place cyclic maintenance programs, as well as investing in systems to actually document the backlogs, better understand their causes, and invest in diminishing that backlog. I spent hundreds of hours of my time on this issue.

But the remedy to these backlogs does not reside in shifting offshore oil and gas funds to that purpose rather than to a continuation of LWCF for two fundamental reasons: 1) in many cases, LWCF investments actually contribute to management efficiencies; and 2) the fundamental premise of the original act remains sound—that as the nation extracts resources from the public domain, we should, in turn, invest in conserving resources for our children and their children thereafter.

Most lands acquired with LWCF funds are within the existing boundaries of federal parks, refuges, forests, and other recreation areas, and much of the rest is used for conservation easements and state grants that do not add to federal management costs. Many such inholdings still remain. Within national parks, for example, there remain some 2.6 million acres of inholdings. I want to underscore that not all of these inholdings merit consideration for acquisition. But in some cases, existing owners would like to sell their lands into public ownership—and such sales can significantly improve management efficiencies.

A few examples best illustrate how continued acquisitions of this sort can improve management efficiency—and provide enhanced economic benefits.

The Nature Conservancy worked on what are referred to as Plum Creek Timber acquisitions that include three projects involving over 500,000 acres. The transactions address long-standing checkerboard land structures and associated management challenges of operating in that context. In addition, there are cost savings for avoided fire suppression on land that, if developed, would have dramatically increased fire management costs.

In a very different example, at Mount Rainier National Park, LWCF funding allowed for purchase of lands enabling a campground to be relocated out of an expensive and flood-prone area in which flood maintenance costs for a single year were \$750,000. The purchase also enabled conversion of a historic house into a new visitor center.

In the eastern United States, at Rocky Fork, Tennessee, multiple partners worked together, using LWCF funds, to leverage state, local, and private funding to protect world-class recreation opportunities through acquisition of an in-holding surrounded by National Forest Service lands. The acquisition helped

the Forest Service utilize prescribed burns that cost 93 percent less than suppression costs (based on a recent fire event). And there are other avoided costs: anticipated development of the property would have caused watershed damage and associated significant costs.

Thriving Communities

When the Congress passed the LWCF legislation 50 years ago, many champions focused on the significance of outdoor recreation as fundamental to human well-being and to the health of communities. That basic linkage endures—and many modern-day champions have persuasively described those benefits and the role LWCF has played in securing them. I want to reaffirm the importance of those benefits.

But I also want to draw the Committee's attention to the broader role that nature and natural systems play in sustaining thriving communities. I sometimes sum up those benefits by saying, "nature is not just nice; it is essential." I have already noted that watersheds help store water and sustain clean water supplies. Protecting and restoring natural coastal systems can reduce impacts to communities from coastal storms—often cost-effectively relative to other infrastructure. Increasingly, LWCF is helping states and local communities sustain these natural systems and the basic services they provide, while also providing the more commonly understood outdoor recreation and wildlife benefits.

Consider, for example, investments in Massachusetts in the Silvio O. Conte National Wildlife Refuge, a refuge contiguous with the area's watershed. Land acquisitions there contribute to the goals of the Massachusetts Water Resources Authority, which has avoided the need to build a \$250-\$300 million filtration plant because of success in implementing a water supply improvement program that includes, as a significant component, investment in protection of watershed lands. The refuge fulfills the fundamental goals of the LWCF by providing outdoor recreation opportunities and conserving habitat, but also contributes fundamentally to sustaining water quality for communities within the watershed.

In New Jersey, LWCF allocations through the Forest Legacy Program provide a tool to maintain the benefits of working forests that include protections of valuable watersheds and drinking water supplies. These funds have helped protect drinking water for more than 2 million residents of northern New Jersey, as well as residents of Little Rock, Arkansas; Worcester, Massachusetts; Whitefish, Montana, and many other locations. In the Cascades, LWCF-supported land acquisitions are contributing to water retention and storage, complementing the Yakima Basin Integrated Plan—a plan supported by the Yakima Indian Nation; county, federal, and state agencies; irrigation districts; conservation organizations; and private agribusinesses.

Designing the Future of LWCF

No brief testimony can do justice to 50 years of results that the LWCF has generated for the American public. These benefits are numerous, and we only now still learning of the role conservation plays in sustaining community economies, enhancing public health, and maintaining basic needs such as water quality. But as we look to reauthorizing LWCF, we need to ask some basic design questions. Are there

important principles drawn from past experience that might help guide that design? Let me suggest several:

- Program *flexibility* is important, as circumstances vary by location and over time. Approximately half of LWCF funding has gone to states and half to federal agencies over recent years, but actual allocations vary year-to-year, reflecting the different opportunities and needs that arise. Maintaining flexibility in the statute itself, while preserving annual Congressional authority to review and approve how funds are allocated, best aligns with the realities of annual variations in needs and opportunities.
- *Dedicated funding*, as originally envisioned 50 years ago, remains an important principle, as it helps local, state, and federal agencies, along with private landowners, better plan what are often complex and multi-stage transactions.
- Continued emphasis on *enhancing public access* to outdoor recreation opportunities through conservation easements and land acquisition is especially important as this nation urbanizes and fewer people have opportunities, in their own backyards, to connect with nature.

From the Alaskan tundra to rolling Midwestern grasslands to the Gulf of Mexico, the lands and waters of the United States capture our imaginations and inspire us. But these places are more than beautiful vistas and vacation destinations. They are critical resources that maintain livelihoods, communities and economies—their value includes, but goes far beyond, the outdoor recreation dollars they generate or the commodities they provide. Healthy forests, rivers and coasts benefit people by providing clean, abundant water supplies, storm surge protection, flood prevention, carbon sequestration and many other services. The Land and Water Conservation Fund is a central foundation for catalyzing and leveraging conservation investments that help provide these many benefits.

I appreciate the opportunity to testify today and look forward to working with the Committee as you consider reauthorization of the Land and Water Conservation Fund.

The CHAIRMAN. Thank you, Ms. Scarlett.
We will now go to Mr. Watson.
Thank you.

**STATEMENT OF REED WATSON, EXECUTIVE DIRECTOR,
PROPERTY AND ENVIRONMENT RESEARCH CENTER**

Mr. WATSON. Madam Chair Murkowski, Members of the Committee, thank you for the opportunity to testify today on potential reforms to the Land and Water Conservation Fund.

My name is Reed Watson. I'm the Executive Director at PERC, the Property and Environment Research Center, in Bozeman, Montana. I'm also an avid outdoorsman and frequent visitor to our Federal lands. Indeed, just this past Sunday I was bear hunting in the Gallatin National Forest, unsuccessfully, I might add, or successfully if you're a bear.

My testimony today will focus on the critical importance of maintaining the quality and accessibility of our Federal lands and not sacrificing that quality or that accessibility by unsustainably increasing the size of the Federal estate. The growth of the Federal estate funded largely by LWCF has outstripped the operations and maintenance budgets of our Federal land agencies.

As a consequence the total deferred maintenance backlog at the Department of Interior currently exceeds \$20 billion, as Chair Murkowski noted. The Park Service alone carries a maintenance backlog of \$11.5 billion. National Park Service Director, Jonathan Jarvis, summarized the issue aptly in his March 17th testimony before the House Subcommittee on Federal Lands, as he said, "Americans love and are rightly proud of their national parks but too often they're greeted by facilities in disrepair instead of a seasonal ranger ready to answer their questions."

Let me share a few tangible examples of a deferred maintenance issue taken from the National Park Service's own 2016 budget proposal. In Grand Teton National Park sewer system upgrades are needed immediately to prevent raw sewage from spilling into the park's rivers. In Glacier National Park a failing electrical system poses fire and public health safety concerns in the park's historic hotels. And in Yosemite National Park a deteriorating water distribution system is leaking thousands of gallons of chlorinated water each day into the Mariposa Grove threatening the Park's ancient stands of giant Sequoias.

Unfortunately the issue of deferred maintenance is not limited to the national parks. The Forest Service has approximately \$5.5 billion in deferred maintenance, of which \$1.4 billion is critical, meaning it poses a serious threat to public health or safety and natural resource or the ability of the agency to carry out its mission. The majority of that critical deferred maintenance is needed for roads, meaning the public can't safely access much of our existing national forests.

And this deferred maintenance issue is not just about roads and bathrooms. The deferred maintenance backlog at the U.S. Fish and Wildlife Service directly threatens habitat. Across the entire Federal estate, particularly out West, billions of dollars are needed for waste water system repairs, campground and trail maintenance,

building repairs and the transportation infrastructure necessary for public access.

Ignoring the deferred maintenance issue threatens the environmental health of our Federal lands as well as the quality of the experience when we visit them. If we were to liken the Federal estate to a house, we would find a crumbling driveway, a leaking roof, rusted pipes and a failing septic system. But strangely enough rather than devoting the time and money to those essential repairs, the owner of the house is considering an addition. A private banker wouldn't lend money for such an addition and likewise Congress should not appropriate additional funds for Federal land acquisition until we address the deferred maintenance backlog. That is, until we get our house in order.

Reauthorization of the LWCF presents an opportunity for Congress to get the Federal estate in order. First, we must clarify that maintenance counts as a related purpose for which LWCF funds can be used. And second, I would urge you to consider prioritizing the allocation of LWCF funds for maintenance before we devote additional funds to land acquisition and stretch our already too thin budgets further.

To be sure, at its current funding level of \$900 million annually, the LWCF is not sufficient to address the entire maintenance backlog alone. And relying exclusively on congressional appropriations to address these needs has not, unfortunately, been a prodigal policy solution in the past.

User fees are also needed to address the deferred maintenance backlog, and our Federal land managers must be allowed to retain most of those fees onsite. Doing so would align the incentives of land managers and land users, and would help land managers determine which maintenance projects are the most critical to our Federal land visitors.

As conservationists on this 45th Earth Day and with the National Park Service Centennial coming up next year, we should acknowledge the inherent tradeoff between acquiring more lands and conserving what we've got. Stewarding as Ranking Member Cantwell mentioned what we've got.

With more than 640,000,000 acres now under Federal ownership and a ballooning maintenance backlog on those lands, spending nearly \$1 billion each year to acquire more lands is not responsible land conservation. We should all remember that the LWCF is the Land and Water Conservation Fund, not the Land and Water Acquisition Fund.

As my father told me growing up, if you ever find yourself in a hole, the very first thing you do is stop digging. It's time to stop digging.

Thank you again for the opportunity to testify. And I look forward to your questions.

[The prepared statement of Mr. Watson follows:]

**Testimony of
REED WATSON
EXECUTIVE DIRECTOR
PROPERTY AND ENVIRONMENT RESEARCH CENTER (PERC)**

**Before the
COMMITTEE ON ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE**

“The Reauthorization and Potential Reforms to the Land and Water Conservation Fund”

April 22, 2015

Introduction

Madame Chair Murkowski, Ranking Member Cantwell, and Members of the Committee, thank you for the opportunity to testify on the reauthorization of and potential reforms to the Land and Water Conservation Fund. My name is Reed Watson and I am the Executive Director of the Property and Environment Research Center (PERC), a nonprofit research institute in Bozeman, Montana, that has studied public land issues for more than three decades.

My testimony today will explain why reauthorizing the LWCF in its current form would likely do more harm than good for our federal lands. The reason is simple: we are failing to maintain most of the 635 million acres already owned by the federal government. Using the LWCF to acquire additional land—without first addressing the billions of dollars in deferred maintenance on the existing federal estate—will threaten the ecological health, public accessibility, and economic productivity of these precious lands.

Congress should reform the LWCF to address the critical yet unfunded needs that exist on lands currently administered by the federal government. In particular, Congress should require that the LWCF be used to reduce the massive backlog of deferred maintenance projects on existing federal lands before it can be used to acquire new federal lands.

Conservation, at its core, is about the care and maintenance of the land. Spending hundreds of millions of dollars each year from the LWCF to expand the federal estate when we are currently failing to maintain the existing federal estate is not responsible conservation. Reauthorization of the LWCF gives Congress an opportunity to prioritize conservation over acquisition.

LWCF Background

The Land and Water Conservation Fund (LWCF) is the principal funding source for federal land acquisitions for conservation and recreational purposes. Created in 1964, the LWCF is authorized at \$900 million per year, with the vast majority of revenues currently derived from oil and gas leasing on the Outer Continental Shelf. Through the appropriations process, LWCF funds are used for three general purposes: (1) federal acquisition of land and waters; (2) grants to states for recreational planning; acquiring recreational lands, waters, or related interests; and

developing outdoor recreational facilities, collectively the “stateside program;” and (3) related purposes. Rarely has Congress fully appropriated the LWCF for these purposes. Since 1965, more than \$36 billion has been credited to the LWCF, but less than half of that amount (\$16.8 billion) has been appropriated to LWCF programs.¹

Of the total LWCF appropriations since 1965, the majority (\$10.4 billion) has gone to federal land acquisitions. These acquisitions were made by four agencies—the National Park Service, the U.S. Forest Service, the Bureau of Land Management, and the Fish and Wildlife Service. Of the four agencies, the National Parks Service has received the most LWCF funding at \$4.4 billion, or 42 percent of the total LWCF federal land acquisition appropriations. Federal land acquisitions since the LWCF’s creation total approximately 5 million acres.²

The stateside program has received the second-largest portion of total LWCF appropriations (\$4.2 billion). In the early years of the program, more funds went to the stateside program than to federal land acquisition, but stateside appropriations have declined since the early 1980s.³ The stateside program received no appropriations in FY1996 through FY1999, with zero stateside budget requests in FY2001, FY2002, and FY2006 through FY 2008.⁴

The third category, generally described as “related purposes” or “other federal purposes,” has received the smallest portion of total LWCF appropriations (\$2.1 billion). No funds were provided for related purposes until FY1998, but Congress has since directed 29 percent of the total LWCF appropriations to this category. Some of these appropriations were directed to the Forest Service highway rehabilitation and maintenance, but the majority has supported other programs such as the Historic Preservation Fund, the Payments in Lieu of Taxes program, and various forestry and habitat programs off the federal estate.

With the LWCF set to expire on September 30th of this year, disagreement has emerged over whether, for how much, and for which purposes the Fund should be reauthorized. The Obama Administration has proposed amending the law to appropriate mandatory funding of \$900 million annually beginning FY2016.⁵ Many oppose reauthorization on the grounds that federal ownership restricts certain land uses and reduces local tax revenues.

Research conducted at PERC has shed light on an additional consideration: whether the LWCF should be used to acquire additional land when our federal agencies are unable to maintain the existing federal estate. lands the backlog of deferred maintenance projects on the existing federal estate.

¹ Carol Vincent Hardy. 2014. “Land and Water Conservation Fund: Overview, Funding History, and Issues.” Congressional Research Service. RL33531. <http://nationalaglawcenter.org/wp-content/uploads/assets/crs/RL33531.pdf>

² Zinn, Jeffrey. 2005. “Land and Water Conservation Fund: Current Status and Issues.” Congressional Research Service Report for Congress, June 10. Zinn reports acquisitions as of 2005 was 4.5 million acres.

³ Margaret Walls. 2009. “Federal Funding for Conservation and Recreation: The Land and Water Conservation Fund.” Resources for the Future Background. http://www.rff.org/RFF/Documents/RFF-BCK-ORRG_LWCF.pdf.

⁴ Despite receiving no stateside budget requests, Congress appropriated \$319 million to the stateside program in those years, with 2002 stateside funding of \$144 million, the most stateside appropriations since 1980.

⁵ U.S. Dept. of the Interior, National Park Service, Budget Justifications and Performance Information, Fiscal Year 2015, p. LASA-1.

Unfunded Projects on Existing Federal Lands

Spanning some 635 million acres, the federal estate accounts for 28 percent of the total land area in the United States. That is an area roughly nine times the size of Nevada—a state that, itself, is 81 percent federally owned. Federal ownership is concentrated in the West, where nearly half of the land is owned by the federal government. Besides Nevada, western states where the federal government owns more than half of all land include: Oregon at 53 percent federal, Alaska and Idaho, each at 62 percent federally owned, and Utah at 67 percent.⁶

As the federal estate has grown, so too has the backlog of maintenance projects on federal lands. In 2010, the Department of the Interior estimated that its total deferred maintenance backlog may be as high as \$20 billion.⁷ Last month, the National Park Service announced that its deferred maintenance backlog has reached a total of \$11.5 billion.⁸ The agency estimates that 90 percent of its roads are in “fair” or “poor” condition, dozens of bridges are “structurally deficient” and in need of reconstruction, and 6,700 miles of trails are in “poor” or “seriously deficient” condition.⁹

As the National Park Service (NPS) prepares to celebrate its 100-year anniversary in 2016, this deferred maintenance backlog represents a glaring blemish in a system known for the “crown jewels” of Yellowstone, Yosemite, and Grand Canyon. Aging infrastructure and facilities, increased visitor use, and insufficient funding all contribute to the growth of the NPS backlog. Table 1 lists the deferred maintenance backlogs in several popular national parks as of September 2014.

Table 1: Deferred Maintenance Backlogs in Popular National Parks (2014)¹⁰	
Yellowstone	\$656,547,010
Yosemite	\$552,778,696
Grand Canyon	\$329,458,168
Rainier	\$298,372,137
Grand Teton	\$201,840,685
Glacier	\$178,517,042

Consider a few of these backlogged NPS projects: More than \$20 million is needed to fix the deteriorated condition of the waste water facilities in Yellowstone.¹¹ As much as \$200 million is

⁶ Gorte, Ross W., et al. 2012. “Federal Land Ownership: Overview and Data.” Congressional Research Service. <http://fas.org/sgp/crs/misc/R42346.pdf>

⁷ Government Accountability Office. 2011. “Department of the Interior: Major Management Challenges.” GAO-11-424T. <http://www.gao.gov/products/GAO-11-424T>

⁸ The NPS defines the deferred maintenance backlog as the cost of maintenance that is not performed when it should have been or was scheduled and which, therefore, is put off or delayed, most often due to funding constraints.

⁹ National Park Service. “Critical Maintenance Backlog.”

http://www.nps.gov/transportation/maintenance_backlog.html

¹⁰ “NPS Deferred Maintenance by State and by Park.”

http://www.nps.gov/subjects/plandesignconstruct/upload/FY14-DM-by-State-and-Park_2015-03-13.pdf

needed to fix busted water pipelines and ensure safe drinking water for visitors at Grand Canyon National Park.¹² More than \$3 billion in high-priority road repairs are needed across the national park system.¹³ According to the latest NPS estimates, the backlog consists of \$1.8 billion in building repairs, \$62 million in campground maintenance, \$472 million in trail maintenance, \$255 million in waste water systems, and \$5.6 billion in unfunded transportation-related infrastructure needs.¹⁴

In addition to unfunded maintenance projects, federal land agencies also face operational constraints that prevent the agencies from adequately managing and protecting the lands under their control. For instance, in Region 1 of the National Forest Service, budget cuts have created at least 15 law enforcement vacancies.¹⁵ The Forest Service has been forced to cut full-time employees in non-fire programs by 35 percent over the last decade, and the agency expects further employment cuts in 2016. The result is a diminished capacity for the agency to appropriately monitor and protect our national forests.

The care and maintenance of existing federal lands is an appropriations decision that often loses out to other political considerations. Congress has shown more interest in appropriating funds to acquire new federal lands than it is to provide funding for routine maintenance projects on those lands. Similarly, presidents have been more likely to seek new federal land acquisitions or create new federal designations under their executive authority—as President Obama did in December with the creation of seven new units of the national park system—than they are to prioritize the maintenance of existing federal lands. These political considerations have contributed to the steady increase in the deferred maintenance backlog over the last several decades, despite claims by several recent administrations to begin addressing the issue.

The continued expansion and acquisition of new federal lands has contributed to a steady growth in the maintenance backlog across the federal estate. As the NPS recently noted, “[N]ew legislation and executive orders have transferred to the NPS additional assets in poor condition compounding the NPS already limited capacity to provide stewardship to existing assets.”¹⁶ Since 2005, more than a dozen additional parks with transportation assets were added to the national park system, in addition to land acquisitions funded by the LWCF. The agency anticipates that the backlog will continue to grow as a result of additional land acquisitions combined with the unavoidable effects of inflation and asset deterioration.

¹¹ “NPS Asset Inventory Summary - By Park.” <http://www.nps.gov/subjects/plandesignconstruct/upload/NPS-Asset-Inventory-Summary-By-Park-FY14-1.pdf>

¹² Associated Press. May 21, 2014. “Water pipes top Grand Canyon’s maintenance list.”

http://www.eastvalleytribune.com/arizona/article_d28cc93e-e05a-11e3-925a-0019bb2963f4.html

¹³ Statement of Jonathan B. Jarvis, Director, National Park Service, Department of the Interior, Before the Senate Committee on Energy and Natural Resources, for an Oversight Hearing to Consider Supplemental Funding Options to Support the National Park Service’s Efforts to Address Deferred Maintenance and Operational Needs. July 25, 2013. http://www.energy.senate.gov/public/index.cfm/files/serve?File_id=6d4ed073-b1f5-42cf-a61a-122be71e67b9

¹⁴ “NPS Asset Inventory Summary”

<http://www.nps.gov/subjects/plandesignconstruct/upload/NPS-Asset-Inventory-Summary-FY14-1-2.pdf>

¹⁵ Chaney, Rob. 2014. “Forest Service law enforcement takes budget hit; Region 1 reviews 15 vacancies.”

Missoulian. March 9. http://missoulian.com/news/local/forest-service-law-enforcement-takes-budget-hit-region-loses-jobs/article_898ca5cc-0117-5342-9808-153a05431cd1.html

¹⁶ National Park Service. 2014. “Deferred Maintenance Backlog.” Park Facility Management Division. <http://www.nps.gov/transportation/pdfs/DeferredMaintenancePaper.pdf>

Opportunities for Reform

As currently authorized, the federal portion of the LWCF allows the federal government to purchase additional lands, but it makes no explicit provision for the care and maintenance of existing federal lands or the lands to be acquired with LWCF funds. Throughout its 50-year history, the LWCF has added approximately 5 million acres to the federal estate, almost all in the West. In so doing, the LWCF has created additional maintenance and operational needs without providing a means to address those needs. In FY2015, federal land agencies sought a combined total of 163 land acquisitions through the LWCF.

Given the current size of the federal estate, and the extent of the management needs on those lands, spending hundreds of millions of dollars annually through the LWCF to acquire new lands is irresponsible. These acquisitions exacerbate the problem by creating even more unfunded maintenance projects and by stretching already insufficient maintenance budgets over even more acres.

Conservation, at its core, is about the care and maintenance of the land. As such, the federal government has a responsibility to maintain and adequately fund the land it owns for conservation and recreational purposes. The relevant question is whether Congress should give federal land managers the resources they need to maintain and conserve the *existing* federal estate, or whether we should burden them further, and stretch their budgets thinner, with additional land acquisitions.

There is ample evidence that Westerners value the care and maintenance of existing federal lands. The latest “Conservation in the West” survey, conducted by Colorado College, found that 95 percent of voters in the West believe that Congress should ensure that public land managers “have the resources they need to take care of public lands and provide services to visitors.”¹⁷ While the survey is commonly cited as evidence that conservation programs such as the LWCF are popular among Westerners, this finding suggests that properly maintaining and caring for existing federal lands is a top priority among Western voters.

Conservationists and lawmakers should acknowledge the tradeoffs that are inherent in appropriation decisions over conservation measures such as the LWCF reauthorization. Funding that is allocated to land acquisition means less funding is available for other purposes such as deferred maintenance backlogs and operational needs on existing federal lands. Deferred maintenance has not been a political priority, at least not measured by the history of congressional appropriations. Therefore, arguing that the LWCF should be used exclusively for federal acquisitions or the stateside program, and that the deferred maintenance backlog should be addressed in the general appropriations process is not a credible policy position.¹⁸ Rather, conservationists must recognize these tradeoffs and seek out opportunities that enable federal land agencies to meet these challenges.

¹⁷ The 2015 Conservation in the West Poll: A Survey of the Attitudes of Voters in Six Western States. <https://www.coloradocollege.edu/stateoftherockies/conservationinthewest/>

¹⁸ See, for example, Hiar, Corbin. 2015. “Jewell defends efforts in Alaska, opposes LWCF changes,” *Greenwire*, April 17, quoting Interior Secretary Sally Jewell: “As a result, Jewell said, “We do not support the idea of using land and water conservation fund dollars for maintenance or operations. We think that’s a part of the regular budget.”

LWCF reauthorization is one such opportunity. Reauthorization presents an opportunity for Congress to address many of the critical needs on existing federal lands and to prevent further increases in the deferred maintenance backlog. To do this, Congress must first clarify that maintenance counts as a “related purpose” for which LWCF can be used. Second, Congress should prioritize the allocation of LWCF funds for maintenance before we devote additional funds to land acquisition.

Even with these changes, the LWCF is not sufficient at its current funding level of \$900 million to erase the entire maintenance backlog. Indeed, the NPS estimates that it would have to spend nearly \$700 million each year on deferred maintenance projects just to hold its backlog steady at \$11.5 billion.¹⁹ Given this reality, Congress must identify and tap additional funding sources that can help federal land managers tackle the maintenance backlog.

One funding source that has already given federal land managers much needed budget flexibility is user fees.²⁰ Allowing managers to charge (or, in some instances, continue to charge) user fees and retain the majority of the fees collected on-site would better align the incentives of land managers and land users. Retained receipts would also help land managers prioritize maintenance projects in a way that would complement and perhaps direct any LWCF funds appropriated exclusively for maintenance.

Conclusion

The reauthorization of the LWCF presents an opportunity for Congress to address many of the critical unfunded needs on existing federal lands and prevent further increases in the deferred maintenance backlog. As Congress considers reauthorizing the LWCF, policymakers should seek to reform the program to provide a steady and reliable source of funding for maintenance, repairs, and revitalization of existing federal lands before those funds are used to expand the federal estate.

Thank you again for the opportunity to testify and present my views on this important subject.

¹⁹ Statement of Jonathan B. Jarvis, Director, National Park Service, Department of the Interior, Before the Senate Committee on Energy and Natural Resources, for an Oversight Hearing to Consider Supplemental Funding Options to Support the National Park Service’s Efforts to Address Deferred Maintenance and Operational Needs. July 25, 2013. http://www.energy.senate.gov/public/index.cfm/files/serve?File_id=6d4ed073-b1f3-42cf-a61a-122be71e67b9

²⁰ See, for example, Donald Leal and Holly Fretwell. 1997. “Back to the Future to Save Our Parks.” *PERC Policy Series*. <http://www.perc.org/articles/back-future-save-our-parks-full>.

The CHAIRMAN. Thank you, Mr. Watson.

Thank you, each of you, for your testimony this morning.

I want to, kind of, take your comments, Mr. Watson, and kick this over to the Deputy Secretary, Mr. Connor, because I think you have articulated it well. We are at a place where our Federal Government managers have approximately 640,000,000 acres under Federal management. That is nearly 30 percent of the United States of America, which is significant.

I think we would all agree on this dais here that our public lands, our lands in this country, are treasures. We do have a responsibility, a stewardship responsibility, to them. How we address this is the crux of what we are dealing with here today.

When we were looking through the history of LWCF and recognizing that this was enacted 50 years ago and when the bill was moving through the process, the Senate version of the bill originally had development in it. It is my understanding that they dropped that in conference because there were some who felt that there was this urgency to acquire lands before either the values skyrocketed or they were privately developed.

Since LWCF was enacted we have had 104,000,000 acres in Alaska added through ANILCA and nearly 5,000,000 additional acres acquired with LWCF. Again, Alaska has about 30 percent of the United States acreage.

The question I think that we are dealing with is do we keep adding to that land bank without focusing on the responsibility for management and maintenance of what is contained within that bank? At what point, Mr. Connor, should we start taking care of what we already own rather than the continual focus on acquisition? As Mr. Watson reminded us, this is the Land and Water Conservation Fund, not the Land and Water Acquisition Fund.

At what point do we say we have to put a priority on the maintenance and the backlog?

Mr. CONNOR. Thank you for the question.

I think that is the question we should be asking. Are we merely adding to the Federal estate through the Land and Water Conservation Fund, the acquisition side of it, or what purposes are our acquisitions for?

As I mentioned in my testimony 99.25 percent of the acquisitions in the last five years have been within the exterior boundaries of conservation units. And I think what we are trying to accomplish with respect to that is we're trying to certainly add to the conservation value, to connect habitats but that eases overall management. We're addressing inefficiencies in our management, as I mentioned with respect to our inholdings and the fact that that drives up fire suppression costs.

The CHAIRMAN. At some point don't you run out of these inholdings that will allow you to have continued efficiency?

I understand what you are saying. I think we are all agreeing here, but at what point do we say we have an obligation, a financial obligation and a stewardship obligation, to care for these lands that we have now under our Federal management?

Mr. CONNOR. Absolutely, we do. But I don't think the choice is do we address the deferred maintenance issue within the National

Park Service and other land management agencies. Is that a competition with the Land and Water Conservation Fund?

I think the Land and Water Conservation Fund improves management, improves our ability to meet state priorities. It has a lot of conservation benefits. It's a necessary program to address a lot of needs both for Federal land management agencies, but also for state and local priorities.

Deferred maintenance is a very real issue, and I think we share the view that that is a serious issue that needs to be addressed. Our budget——

The CHAIRMAN. But how——

Mr. CONNOR. Also does that through a separate mechanism.

The CHAIRMAN. How are we proposing then to do that because the Administration is seeking to turn LWCF into a permanent mandatory-funded program? How do we do that?

So far as I know, we have not identified any offset which is an issue here when we are dealing with CBO scoring. How do we ensure that, in fact, we have in place the means to address this because LWCF is not a true trust fund here? It has always been subject to appropriations. You acknowledge that there is a need to address it, but what we have not seen is how we effectively pay for it.

Mr. CONNOR. Well, there are, overall in the budget as we've talked about in our budget hearing, there are offsets in the overall budget for both the mandatory funding request for Land and Water Conservation Fund and the specific initiative we have within the Park Service budget to address the deferred maintenance issue.

Two hundred forty-three million dollars in the '16 budget specifically through the discretionary appropriations process to address deferred maintenance issues, plus \$300 million in mandatory funding for a three-year period, each year for a three-year period, to address that deferred issue——

The CHAIRMAN. But I think we——

Mr. CONNOR. In association with the National Park Centennial with our goal is to take those highest priority assets, that \$2.2 billion that we've identified as our highest priority, non-transportation assets, and get them in good condition over a ten-year period intended to address the deferred maintenance issue. So we have offsets in the overall budget that provide for both the Land and Water Conservation Fund mandatory request and the deferred maintenance issue with the Park Service budget.

The CHAIRMAN. But I think we recognize that the identified offsets that you have come up with are probably offsets that will not be acceptable within this Congress.

So where do we start?

Let us go to Senator Cantwell, and I do not know whether votes have been called, but as members come and go we will just keep moving.

Senator CANTWELL. Thank you, Madam Chair.

And I would like to continue on this dialog because I think it is an important one, particularly with the anniversary of the national parks coming up and the question of what we want to do to improve our park system in recognition of where we have been over the last 100 years. But I just want to be clear because I think just

because the name of it is The Land and Water Conservation Fund, I am okay with changing the name to put the name acquisition in there. It is clearly in the statute, reading from the statute, that the purpose of this is for the acquisition of lands, waters, or interests in land and water as follows. So it is clearly in the Act. That is what is authorized. That is the purpose of it, so the Act is not just to theoretically conserve.

I do think that the backlog issue is a real issue. Now I have ideas that I think that we should do the roadless area rule and take care of backlogs at the same time, set aside what we are not going to do because it is in an unattractive part from the perspective of actual timber harvest, and then make investments in areas where we do have backlog. But to blame the entire Federal system backlog on the Land and Water Conservation Fund I just think is not the right direction. We have got to own up to what our obligations are, to improve our Federal lands and continue to see areas in which Federal land acquisition might be done.

So with that, Ms. Scarlett, you have been involved in these issues from two different perspectives, your role in the Department of Interior during the Bush Administration and now your position with The Nature Conservancy. In fact, I would like to say that some of the best environmentalists on the Republican side of the aisle usually come from previous Administrations who then decide that those were the right policies. There are many Republicans who push Presidents, who push great land policies, and I certainly want us to look at this as a bipartisan effort.

But what can we do to make sure that we have land and water acquisition and also take care of maintenance?

Ms. SCARLETT. Thank you, Senator. I want to offer several points on this.

Looking at the backlog issue I think we first have to look at its composition. So about half of it is roads and I think appropriately we should be looking in the transportation reauthorization at addressing some of those challenges.

Secondly a not insignificant portion actually comes from disasters that have occurred and in which emergency supplemental funding has not covered the responses on Federal public lands and so including when those emergency supplemental approves funding to actually address those will also help.

But I want to get to a much more important and central issue which is I think the remedy to the maintenance backlog really needs to be tied to ways that reinforce sound agency management. I think the Fish and Wildlife Service offers a recent example. They've actually decreased their maintenance backlog by about half in just a few short years. And they did that first by clearly characterizing those assets that needed repair and replacement. Second by prioritizing and recognizing that everything on the list didn't really need to be addressed. A remote, unused or seldom used, for example, road might have been on the list doesn't really need repair. So they set clear priorities, management discipline and then struck out to actually, within the appropriated annual budget, address them. I think the other agencies can similarly do the same.

I want to make another point. I spent so many hours on this issue during my time at Interior, and one of the things we did was

to actually look at industry standards. The backlog itself is a little bit misleading because even in the private sector there's always a backlog. What you want to do is to keep that backlog less than ten percent of your capital asset replacement cost. Fish and Wildlife Service now has its backlog down to four percent, well within that industry best practice.

Other ways to address it? Recreation fees and keeping them on-site, extraordinarily important.

And then I'll conclude with another remedy. Increasingly The Nature Conservancy, when we partner in Land and Water Conservation Fund efforts, brings some matching philanthropic funds to the table and actually create some endowments that can actually contribute to some management of those lands.

So I think there's a lot of remedies here that are worth exploring. Thank you.

Senator CANTWELL. Well, Mr. Connor, what about that, looking at percentages and looking at various tools that would help for each of the individual backlogs? I mean, I think we should at least all come to an agreement as members of this Committee. Believe me, we are a very diverse group of people here, but we ought to just come to an agreement.

What is the maintenance backlog within the Department of Interior? Let's put the number out there, and then we can decide what we want to do about it. But as I said, instead of blaming it all on the Land and Water Conservation Fund as the source for taking care of all the backlogs on Federal lands, I think we have to come up with other remedies.

Mr. CONNOR. Well as a former Deputy Secretary I listen to Lynn as much as possible, and it's been good advice since she's been giving it, and I think she's giving some good advice today.

I think she's absolutely right. If we look at the maintenance backlog, we quantify it. It is 11 and a half percent, I mean, \$11.5 billion for the Park Service. It does approach \$20 billion across the board, although that may include Bureau of Reclamation.

There's always going to be some level of backlog, so we've got to separate and prioritize, and that's what we've done with respect to the Park Service, and that's what the Fish and Wildlife Service has done. So we've identified our highest priority, non-transportation assets. We do think the Transportation bill should be looked at.

But there are these other programs, fees, as well as, particularly for the Park Service, the private, the philanthropic organizations, the National Park Foundation, which is stepping up with respect to the Centennial coming up, raising lots of private dollars because there is an interest in doing that. And we've got to marry up all these programs to deal with that overall deferred maintenance issue which has gotten a little excessive. It is a priority. We just don't think that that needs to compete with the LWCF.

Senator CANTWELL. Thank you.

Thank you.

The CHAIRMAN. Senator Daines?

Senator DAINES. Thank you, Chairman Murkowski and Ranking Member Cantwell for this hearing today.

The natural resources in Montana are so important to driving our economy. Many, many Montanans make their living off the

land whether it is agriculture, whether it is mining energy industries or, of course, showcasing really world class vistas in the public lands to visitors around the world.

In fact I grew up in Bozeman. We are an hour away from Yellowstone National Park, literally 50 minutes away from public lands. It is really the heart of where Brad Pitt and Robert Redford created fly fishing in a movie called, "A River Runs Through It."

Having said that we built a software company there that had 1,000 employees and in part because people enjoy the quality of life in Montana and now that technology has moved, geography is a constraint. It was really our access to the lands and the amazing quality of life we had. It was an important driver to creating a business that capitalized nearly \$2 billion. In fact our recruiting website was, I love it here, dot com, to get new employees.

So with that as background and my support certainly for LWCF I want to address my first question to Ms. Scarlett.

Thank you for being here today. The Nature Conservancy has used LWCF very well in Montana. I am hoping you can address some of these concerns that it's solely to increase the Federal estate.

It is my understanding that a majority of the projects in Montana are in fact addressing the checkerboard nature of ownership inholdings, easements that actually increase access to public lands, improve land management and ensure that our multigenerational farmers, ranchers even, stay working on the lands.

Could you expand on how LWCF is used in Montana?

Ms. SCARLETT. Yes, thank you, Senator.

You're absolutely right. Increasingly we are seeing, especially through the Forest Legacy Project, as part of the Land and Water Conservation Fund, the use of both conservation easements so one sustains working lands, but also acquisition of checkerboard lands that in some instances actually make access difficult.

A couple of projects, I'll flag the Trumbull Creek watershed project in Montana, a Forest Legacy project. That was an easement. It yielded jobs, protected drinking water and sustained access.

Another major one, The Nature Conservancy, has been involved in was the Montana Legacy Project, an enormous project, also many, many partners, working with Plum Creek Timber Company on some 310,000 acres of land. Again, one of the key goals was sustained access but also keeping lands contiguous and therefore better able to be managed.

Senator DAINES. Yes, and on that issue of access. In Montana we have approximately 2,000,000 acres of public land that are inaccessible to the public. Access to public lands for outdoor recreation is such an important way of life for us. It really distinguishes, I think, America from virtually any other country in the world in terms of what we have here, that the average, hardworking, middle-class Montanan has access to lands.

How was LWCF used in Montana to improve the sportsmen access to existing Federal lands?

Ms. SCARLETT. Yes, absolutely.

Again, I want to flag the Forest Legacy Project Program because it has particularly focused on trying to enhance that access along

with improving forest management, and so the vast majority of those projects actually go very specifically toward enhancing access or at least having that as a component.

Again, in some instances where you have private lands which we all celebrate, of course, they also make it difficult in some instances to access some of the premier fishing areas, hunting areas, that are on the public lands. Again, one of our goals with The Nature Conservancy in addition to, of course, meeting our habitat conservation goals has also been to help ensure that access to, after all, the hunters and fishers who are among our greatest conservationists.

Senator DAINES. Thank you, Ms. Scarlett.

Mr. Connor, I have a question for you. Certainly in Montana we understand that management of Federal lands must be improved, and we also are very aware of the current budget constraints and increasing appropriations for maintenance of existing Federal lands is a real challenge that we have already heard some debate here today.

Could you expand further on how you see how LWCF has actually created cost savings within the Federal agency's budget and how LWCF can make Federal land management more effective and efficient?

Mr. CONNOR. Absolutely, Senator Daines. Thanks for the question.

One example is a specific Montana example that we have in the Lolo National Forest which had a very significant fire that rapidly spread in 2013 and became a high priority area during the fire-fighting season. Of great concern during that fire were a number of inholdings, and it was a particularly checker-boarded area. And from that standpoint there were increased firefighting costs associated with protecting those inholdings. There was concerns about that situation being exacerbated because of the Wildland Urban Interface that could exist there if those properties were developed.

So in the aftermath LWCF was used to acquire a number of those parcels which, I think, the Forest Service identified as a very high priority to ease firefighting suppression costs. And that's one example.

And just overall it's been estimated that about 13 percent of those inholdings that are the Wildland Urban Interface are developed at this point in time and do have properties and structures within them. If that was expanded at just 50 percent of those parcels, the Forest Service estimates that that would eat up the vast majority of their suppression budget in any particular firefighting season.

So it's a real concern about, how do we reduce costs, but also how do we avoid costs in the future?

Senator DAINES. Okay, thanks, Mr. Connor.

The CHAIRMAN. Senator Heinrich?

Senator HEINRICH. Thank you, Madam Chairman.

Mr. Watson cited a figure, I think it was \$11.5 billion, that is the maintenance backlog at the National Park Service. I would remind all of us that roughly half of that backlog is the responsibility of the Department of Transportation and state transportation agencies. I think we need to take that portion of the backlog seriously, but the way to address that backlog should be to get very serious

about passing a transportation reauthorization bill that actually includes a sustainable and long-term funding source to address that backlog. Blaming LWCF for that backlog really misses the point. LWCF is a program that works. If everything in government worked as well as LWCF we would have a lot of time on our hands. We, as the Congress, have created the backlog, and we should address that shortcoming through the appropriations process.

In addition, I want to point out the fact that we only get to sell oil and gas once. We lease a lot of oil and gas in the State of New Mexico, but our oil and gas reserves, including these reserves offshore that fund LWCF, are depleteable assets. Once we spend the revenue from them, it is gone. That is why LWCF was set up to make permanent investments in conservation and recreation, not just pay for regular operations. So when we sell our energy reserves they should be invested in some sort of permanent investment in conservation, not for routine operations and maintenance.

I hope we remember that if this program was as broken as some would suggest, I seriously doubt that LWCF reauthorization would have gotten 59 votes on the floor of the Senate as it did just a few weeks ago.

So with that, Secretary Connor, I want to ask about something you know a little bit about, something about which is water. As you know water is one of the most economically, culturally important resources that we get from our public lands, particularly in the Southwest in places like New Mexico. In fact, almost half of our surface water comes from our national forests.

In Taos County the county commissioner requested that the Carson National Forest purchase a property that was up for sale because development on it would threaten drinking water supplies for the Town of Taos and surrounding communities. Can you talk a little more about what LWCF does in terms of protecting water supplies for communities and farmers across the country?

Mr. CONNOR. Thank you, Senator Heinrich.

And yes, and particularly these days with the dramatic droughts going on in the West and just the fact that the water resources are most affected by increasing temperatures, most immediately, we notice the impact on water resources. There is a renewed focus within the LWCF to specifically look at investments that protect watersheds. And I'll be sure to go back and look at the Carson National Forest example that you mentioned.

But two examples. As I mentioned in my verbal comments, the Leslie Canyon National Wildlife Refuge and 13,000 acres of a conservation easement and a ranch there. They specifically highlighted four watershed protection purposes. It has other benefits. It keeps working lands in production. It helps facilitate the financial aspects of that operation. But that is one of the most stunning examples of where watershed protection is the highest priority and to restore, work with the ranch and restore the landscape, improve the health of the overall watershed and the yield that it has overall.

Great Sand Dunes National Park, the headwaters of the Rio Grande in Colorado, is another example where we are prioritizing acquisitions. I think in the budget there's a 5,000 to 6,000 acre parcel which is just part of a number of inholdings intended to particularly protect that watershed.

Senator HEINRICH. Those are great examples, and I want to thank Senator Daines for bringing the issue of access up as well.

One of the ways that the Land and Water Conservation Fund has been used in recent years that is really critical from a local economic viewpoint is being able to purchase easements whether it is into a water course, a river that does not have fishing or boating access, whether it is getting access into these isolated pieces of public land that over time have been surrounded by private property.

Can you talk a little bit about how the Department of Interior is using Land and Water Conservation Funds to leverage the outdoor recreation, hunting and fishing economy by getting access to places that the public already owns?

Mr. CONNOR. Absolutely.

I think, just quickly, this is an area where I think the Administration has plowed new ground with respect to the Land and Water Conservation Fund assets which is the use of conservation easements and the use of funding for particularly access for hunting, fishing. And so there's a number of examples in Colorado on the Yampa River, the Niobrara Scenic River, the North Platte Special Management Area in Wyoming, where the focus has been access to the river for fishing as well as hunting access, particularly in the Yampa River in Colorado.

It's been a high priority. It's a continued need that we hear more, and it's one of the refinements. I think you mentioned, Chairman Murkowski, that we do need to look at access more and more, and I think that's appropriate.

Senator HEINRICH. And to give credit where credit is due there is a Sportsmen's Act that Senator Murkowski and I are working on. It does attempt to address this very issue which is critical for many, many Western states.

Thank you, Madam Chair.

The CHAIRMAN. Absolutely, I appreciate you bringing that up, Senator Heinrich.

One thing that you mentioned though that I would agree with you on is we have got to deal with this aspect of the maintenance backlog as it relates to the roads within our public lands and how we deal with that, but it is my understanding that that responsibility is still on the Federal side, not kicked over to state DOT. There has been some argument about that, but it is still on the Federal side of the ledger, and that is why it tips it so out of whack.

I am going to dash off and vote. Senator Barrasso will be up next. I know that there are a whole host of other members that will be back, so again, we will be jumping up and down.

Senator BARRASSO [presiding]. Thank you, Madam Chairman.

Mr. Connor, recently this Committee has received letters from the National Recreation and Park Association, the National Association of State Park Directors and the National Association of State Outdoor Recreation Liaison Officers. I am going to submit those letters for the record. Obviously there is nobody here to object, so they are part of the record now. [Laughter.]

[The information referred to follows:]



National Recreation and Park Association

February 6, 2015

The Honorable Lisa Murkowski
Chairman
Energy & Natural Resources Committee
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Energy & Natural Resources Committee
511 Hart Senate Office Building
Washington, DC 20510

Re: LWCF Reauthorization and State Assistance Program

Dear Chairman Murkowski and Senator Cantwell:

The National Recreation and Park Association (NRPA) followed, with great interest, last week's Senate discussion on the reauthorization of the Land and Water Conservation Fund (LWCF), which occurred during floor debate on the Keystone XL pipeline.

As a result, the NRPA deems important that we clearly state our position in support of changes being needed in the reauthorization of the LWCF.

The NRPA represents over 14,000 state and local park and recreation agencies, as well as more than 48,000 individual members in communities both large and small in all states. We respectfully request your support for: 1) the reauthorization of the LWCF including full, permanent funding; and 2) with fair and equitable treatment for the State Assistance Program of no less than 40% guaranteed funding for formula grants to the states for active outdoor recreation.

What we find is getting lost in the current discussion over the reauthorization of the LWCF is, first and foremost, the issue of fairness in how LWCF dollars are being distributed. While four-out-of-five Americans live in larger metropolitan areas, the LWCF is now only providing about 13% of overall funding to the very program – State Assistance -- which impacts people where they live, and recreate, the most. Urban communities, in particular, suffer from the severe lack of resources currently provided through the State Assistance program.

The State Assistance Program is consistently listed as a key tenant of the overall LWCF program. We value preserving and providing access to our national treasures for all to enjoy, but we want to remind you that many treasured areas are NOT located on federal property.

In spite of its gross lack of support, portions of State Assistance allocations have been administered very successfully to virtually every local community across the country. The respective state and local partners frequently go well beyond the required one-to-one match for stateside grants.

Chairman Murkowski
Ranking Member Cantwell
LWCF Reauthorization

Page 2

Described as the most effective conservation effort in America and widely recognized as visionary legislation in 1965 when LWCF was authorized, the original allocation designated was:

SEC. 4. (a) ALLOCATION.—There shall ...

(i) the appropriation therein made shall be available in the ratio of 60 per centum for State purposes and 40 per centum for Federal purposes, ...

www.gpo.gov/fdsys/pkg/STATUTE-78/pdf/STATUTE-78-Pg897.pdf

Through legislative changes and diversions, the State Assistance portion of the fund in recent years averages 13%. We recognize the considerable competing priorities, but an honest review will confirm the effectiveness, the demand and the appropriateness of providing a fair and balanced allocation that resembles the original intent of the law.

NRPA fully supports permanently and robustly reauthorizing LWCF State Assistance funding to enable planning, acquisition, development and rehabilitation of outdoor recreation facilities and opportunities at the state and local levels.

Permanent reauthorization of LWCF, with a dedicated, balanced and equitable funding of the State Assistance allocation, will have tremendous impact today, and for generations, in meeting the purposes of the original Act.

Thank you for your consideration.

Sincerely,



Barbara Tulipane, CAE
President and CEO
National Recreation and Park Association

cc: Members of the Energy and Natural Resources Committee



National Association of State Park Directors

P.O. Box 91567 Raleigh, NC 27675
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Vice President
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Secretary Treasurer
Linda Lanterman
KANSAS

February 4, 2015

The Honorable Lisa Murkowski, Chairman
The Honorable Maria Cantwell, Ranking Member
Senate Energy and Natural Resources Committee
304 Dirksen Senate Building
Washington, DC 20510

Re: LWCF Reauthorization, Stateside Allocation

DIRECTORS

Ben Ellis
ALASKA

Bryan Martyn
ARIZONA

Dan Bortner
INDIANA

Bill Bryan
MISSOURI

Phil Gaines
SOUTH CAROLINA

Craig Whipple
VERMONT

Dear Chairman Murkowski and Senator Cantwell:

We noted with great interest the discussions last week on the Senate floor regarding the proposed amendments for the reauthorization of the Land and Water Conservation Fund.

What sometimes gets lost in the talking points is the significant impact that LWCF has provided the state parks – the some 8000 distinct park areas in all 50 states. Portions of available stateside allocations have been administered very successfully to virtually every local community across the country. The respective local partners frequently overmatch stateside grants.

This is to respectfully request due consideration be given for fair and equitable allocation of the fund as you consider permanent reauthorization of LWCF. Described as the most effective conservation effort in America and widely recognized as visionary legislation in 1965 when LWCF was authorized, the original allocation designated was:

EXECUTIVE DIRECTOR

Lewis Ledford
NORTH CAROLINA (ret.)

SEC. 4. (a) ALLOCATION.—There shall ...
(i) the appropriation therein made shall be available in the ratio of 60 per centum for State purposes and 40 per centum for Federal purposes, ...
www.gpo.gov/fdsys/pkg/STATUTE-78/pdf/STATUTE-78-Pg897.pdf

With legislative changes and diversions, the Stateside portion of the fund in recent years averages just over 12%. We recognize the considerable needs, but a due review will confirm the effectiveness, the demand and the appropriateness of providing a fair and balanced allocation that meets the original intent of the law.

The Honorable Murkowski
The Honorable Cantwell
LWCF Reauthorization
Page 2

America's State Parks provide wonderful outdoor recreation experiences and unique historical, scientific and environmental education opportunities. LWCF has been a key reason for the vast diversity – from the expansive mountainous landscape in Alaska to a coral reef in Florida to the world's longest stalactite formation in an Arizona cavern to locations where European settlers first came to America and much more. The mosaic of the natural resources, the cultural fabric of America, and the splendor of its beauty are enjoyed by 730 million state park visitors annually. State Parks provide important contributions to the nation's environment, heritage, health, and economy.

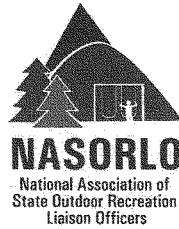
Permanent reauthorization of LWCF, with balanced and equitable funding of a stateside allocation, will have great impact today, and for generations, in meeting the purposes of the original Act. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, reading "Lewis R. Ledford". The signature is fluid and cursive, with the first name "Lewis" being more prominent and the last name "Ledford" following in a similar style.

Lewis R. Ledford, Executive Director
National Association of State Park Directors

cc: Members, Senate Energy and Natural Resources Committee



February 5, 2015

Honorable Lisa Murkowski, Chairman
Energy & Natural Resources Committee
304 Dirksen Senate Building
Washington, DC 20510

Honorable Maria Cantwell, Ranking Member
Energy & Natural Resources Committee
304 Dirksen Senate Building
Washington, DC 20510

President
Tim Hogsett
Texas

Vice President
Susan Moerschel
Delaware

Secretary
Linda Lanterman
Kansas

Past President
Domenic Bravo
Wyoming

Executive Director
Doug Eiken
Missouri

Board of Directors
John Beneke
Arkansas

Steve DeBrabander
Michigan

Lauren Imgrund
Pennsylvania

Ben Ellis
Alaska

Phil Gaines
South Carolina

Doug Hofer
South Dakota

Craig Wacker
Nebraska

Sedrick Mitchell
California

Gerald Parish
Tennessee

Jennifer Scanland
Nevada

Dan Schuller
Wisconsin

Dear Chairman Murkowski and Ranking Member Cantwell:

Because of the recent discussions about the Land and Water Conservation Fund (LWCF) taking place during the Keystone Pipeline debate, our organization felt it important that we clearly state our position that we believe changes are needed in the reauthorization of the LWCF.

The National Association of State Outdoor Recreation Liaison Officers (NASORLO) represents the outdoor recreation interests of all states. We respectfully request your support for reauthorization of Land and Water Conservation Fund Act with full and dedicated funding that returns a fair and equitable distribution to states, which was an important and key tenant of original LWCF Act.

As Stateside LWCF Program leaders, we have developed partnerships in thousands of cities, towns and counties across the United States resulting in parks and outdoor recreation opportunities near and where people live. Parks and recreation areas created and developed through the visionary LWCF law, are important community assets, plus economic drivers and job creators in our communities. Furthermore, LWCF sites will forever be available for public use.

While LWCF investments combined with local funds have created over 40,000 outdoor recreation sites, our nation and its outdoor recreation needs continue to grow and change resulting in significant unmet outdoor recreation needs across America. It is urgent and timely to renew the commitment to the Land and Water Conservation Fund Program and commit to a fair and equitable share for states and local communities.

Your commitment to supporting our request is critical to carry forward the visionary legacy of the Land and Water Conservation Fund that today serves people across America and the Territories.

Sincerely,

Tim Hogsett, President
National Association of State Outdoor Recreation Liaison Officers

CC: Committee Members

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NASORLO is an organization of appointed state and territorial officials working to provide outdoor recreation by investing proceeds from the LWCF state assistance program in state and local projects

Senator BARRASSO. I might put a couple other things in too.

[Laughter.]

Senator BARRASSO. As part of the Land and Water Conservation Fund reauthorization, all of these organizations are seeking a more fair and equitable share of the LWCF funds for states and local communities. The original 1965 Land and Water Conservation Fund law which Secretary Jewell has called a landmark law provided for 60 percent, 60 percent, of the funding to go to the states. According to the National Association of State Park Directors in recent years the state side portion has averaged just over 12 percent. I do not think anyone would say that 12 percent is fair and equitable, especially when the original intent was 60 percent. So can you talk a little bit about what you think is a fair and equitable percentage for the states that the Administration would support as part of reauthorization?

Mr. CONNOR. Yes, Senator, thank you for the question.

I do acknowledge, I think, absolutely you're correct with respect to the original intent of the act. I believe that was changed by a subsequent amendment. But the question is still valid. What is the appropriate mix between Federal dollars and State dollars?

We look at it a little differently with respect to the state side allocation. It's more than just the state side program itself which, I think, is out of the \$900 million request in our 2016 budget, \$100 million is identified for the state side program which then gets allocated to states pursuant to a formula—40 percent to every state and 60 percent based on population and etcetera.

We look at the allocation in our budget as being actually 60 percent going to the Federal side and 40 percent to the State side because we look at the grant programs that have been developed, the Cooperative Endangered Species grants, the Forest Legacy Program, the National Park Service Urban Parks and Recreation grants, as going directly to state or local entities for their priority conservation needs. In many cases it is for conservation easements or acquisitions that they do in addition to the parks and ball fields and the recreational areas that they develop as part of the state side program.

So that 60/40 split is what we think we've been adhering to with respect to the program in recent years, and we think that's appropriate. With respect to the state side programs and the mix of grant programs, we think that gives us flexibility to deal with a lot of the state and local needs through those different programs and those priorities. So we think that's an appropriate allocation. We think that's working fairly well.

Senator BARRASSO. Thank you.

Mr. Ledford, as a doctor I understand how important daily exercise is to a healthy lifestyle. In your testimony you touch on how state and local parks impact the health and wellness of, as you say, Americans in every community, every day. In your view why are state and local parks ideally positioned to increase the health and wellness of Americans every day?

Mr. LEDFORD. What comes to mind is the breadth and depth and the locations of these around the country and where they're located. There's a study from the Charlotte/Mecklenburg area where the proximity of parks, if you're living within one half mile of a

park or playground you're five times, as a child, to be more healthy. So I think there's a direct correlation with all the studies that are going on in today's society about the benefits of activities in the outdoors and the direct relationship.

Senator BARRASSO. Again Mr. Ledford, in Ms. Scarlett's testimony she talks about the economic benefits to communities with proximity to public land because it attracts people and their businesses. In your career with the North Carolina State Parks Department have you witnessed economic benefits or revitalization efforts in areas where biking paths or recreational facilities, playgrounds or other protected open spaces are provided?

Mr. LEDFORD. Absolutely. Whenever we bought property or acquired parks or started new areas some of the property that we would later want to acquire for that property or that park, the value was increased because of the proximity. The values of the property go up because of the type of use and the facilities and the accommodations that we're providing.

A local example in Mecklenburg County again was the \$53 million annually spent by the tourists that come to the parks and \$3.9 million annual increased tax benefit to those property values going up just in Mecklenburg County alone in North Carolina.

Senator BARRASSO. So do you believe that returning to that original intent of the law to provide 60 percent of the funding for state purposes that that will lead to a greater economic revival in local, rural, as well as urban communities?

Mr. LEDFORD. I think it would provide, Senator, a considerable increase to the local, states and local departments, and states to provide additional funds for that purpose.

Senator BARRASSO. Thanks.

Mr. Watson, the testimony from the Administration and The Nature Conservancy argue additional land acquisitions increase public access, increase landscape health and increase conservation.

Your testimony, Mr. Watson, about conservation goes in a different direction by saying conservation at its core is about the care and maintenance of the land. You believe acquiring more land would actually, as you say, do more harm than good and will threaten the ecological health and public accessibility and economic productivity of public lands.

Can you talk about why you believe conservation is more closely aligned with addressing our deferred maintenance backlog than acquiring new lands?

Mr. WATSON. Thank you, Senator.

I do. I wish Ranking Member Cantwell were here for this question because I do think there's a inherent tradeoff between acquiring more lands and maintaining the lands that we've got. And if my comments led some members of the Committee to believe that the Land and Water Conservation Fund was the exclusive driver of the maintenance backlog then I apologize. It wasn't my intent. Rather that, moving forward as we consider reauthorization of the act and the fund, that we consider how that money would best be spent. I think there is an inherent tradeoff between acquiring more lands and stretching the existing operations and maintenance budgets further, thinner.

And to the issue of inholdings, I think there's perhaps legitimate claims to be made that acquiring those inholdings can reduce maintenance costs. But there's also another mechanism for doing that which is land swaps. Someone has mentioned the issue of checkerboarding, checkerboarded, I would say, exterior borders. And swapping some of those lands and interior holdings for land outside the Federal estate would actually be perhaps a more cost effective and more revenue neutral approach.

Senator BARRASSO. Thank you, Mr. Watson.

Yesterday Secretary Jewell announced Federal grants to eight cities to establish or restore parks in outdoor recreation facilities in low income, disadvantaged neighborhoods. So I think that by highlighting these types of projects, projects that are typical of what states do with funding, I see this as an acknowledgement that we need a more robust and more fair state side program.

Senator Cassidy?

Senator CASSIDY. Yes. Mr. Watson, great testimony.

Mr. Connor, is it true that we are dumping chlorine into the river that is the water supply for those Sequoias?

Mr. CONNOR. I'm not familiar with that.

Senator CASSIDY. Mr. Watson, do you have documentation of that now?

Mr. WATSON. It's actually from the Department of Interior's budget request for 2016. So, yes.

Senator CASSIDY. Wow, there is no way to prioritize that? I thought that Ms. Scarlett's comment was well taken. We need to prioritize. Ms. Scarlett spoke and I, again, good testimony, all of you, about ten percent being acceptable, sort of, this is the backlog. Fisheries has it down to four percent. Whatever standard Ms. Scarlett is using, you all know each other, so you must be familiar with that standard, I presume. What percent? If it is four percent for fisheries, what is it for the other agencies?

Mr. CONNOR. I'm not familiar, off the top of my head, with where we are with the other agencies. I do think that's a good industry standard that we should be looking at. I'm happy to look at that for the record.

[The referenced information was not received at the time of printing.]

Mr. CONNOR. We've quantified. But as far as what percentage that is, I'm not quite—

Senator CASSIDY. What is the total budget of those agencies because you said there is a \$20 billion backlog in the aggregate? So when you do back of envelope, if you will, if we knew their total budget? Now granted that would not be the total budget only for management. That would include personnel costs, etcetera. So do you know the total budget they have for all like, managing lands?

Mr. CONNOR. Our budget overall for the Interior Department is about \$12 billion.

Senator CASSIDY. You have got a \$20 billion backlog. [Laughter.] That's over four percent. Ms. Scarlett, any comments on that?

Ms. SCARLETT. Yes, I want to clarify that number that I used, that is, the ten-percent standard is not of a total budget. What that is is an industry standard where you look at the costs of your maintenance backlog relative to your total capital asset value.

Senator CASSIDY. Thank you.

Ms. SCARLETT. So that's the figure, and I'm sure I could look at that in the Park Service.

Senator CASSIDY. Now Mr. Watson, you suggest that I implied, I forget if it is outright stated, that state park management has done a better job in terms of realizing the cost, etcetera, etcetera, all the nice little litany of things that were suggested that could be done better. The State of Alaska has done a better job with state parks in terms of, you name it, upgrading, maintaining, realizing dollar value from than has the Federal management. Do you have that information?

Mr. WATSON. Actually and this wasn't a staged question, but we do. PERC just released a report comparing management of State verses Federal lands because, as you are probably well aware, there's a growing lobby, I would say, to transfer some of the Federal estate to state management. So we started a research project to look at the economics of that transfer issue and what sort of management tradeoffs or differences we see between State and Federal management.

And the results, the data, were overwhelming that states do a better job of managing their lands, partly it's because they've got a clear instruction as far as how those lands should be managed. But overwhelmingly I wouldn't say across every state park, but if you had to characterize, as we do in our divided lands report, which I'm happy to share with all the members of the Committee, the maintenance issue was much smaller and less pressing need for state lands than they are on Federal lands.

[The referenced information was not received at the time of printing.]

Senator CASSIDY. So there is better maintenance on state lands?

Mr. WATSON. Correct.

Senator CASSIDY. That is interesting.

Mr. Connor, any comments on that? It seems like we should be giving the parks to the states.

Mr. CONNOR. Well, I think, as with all reports, we would certainly want to look at that and make sure it's an apples per apples comparison. I know that other folks have looked at the report, and I haven't, so I have no personal judgments on that, but I know they raised issues with respect whether it's a looking at a multiple-use mandate, how certain costs like firefighting costs have been dealt with in that particular report. So I think it's a piece of work that deserves to be looked at. And we're happy to do that and comment for the record.

Senator CASSIDY. Sounds good.

[The referenced information was not received at the time of printing.]

Senator CASSIDY. Now next on the infilling. It is easy for me to imagine that some infilling could lead to the need for more infilling. That if you have something shaped like a U and then you begin, kind of, making a bridge it then becomes a circle, and now you have got to continue to buy within that circle. How much of the infilling leads to the need for more infilling, so to speak?

Mr. CONNOR. Well, I think overall when we're acquiring inholdings within conservation units we do think that the more that you can acquire through the willing seller process, the more you're increasing your management efficiencies from all different standpoints.

Senator CASSIDY. I guess that is not my point. If you have an upside down U and then you, kind of, building a gap by building a bridge for whatever reason, between the bottoms of the U, now you have got a circle. So now you have got to spend another 99 percent of your money, if you will, on filling in the circle. I guess I am asking is, when we do this, knowing that it is contiguous, does it contribute to the checkerboarding or to the kind of vacuous nature or does it begin to fill in those that are hollow? Obviously we want to get out of having to spend 99 percent of our budget on infilling. So, thoughts?

Mr. CONNOR. I think overall where we'll look at it—mostly it is a checkerboard as opposed to the circular situation. And we'll look at trying to strategically acquire those inholdings in a way that doesn't facilitate, ongoing. We want each acquisition to stand on its merit as improving management efficiencies as much as possible.

Senator CASSIDY. Okay, and just one more thing. Wiggle room, as in, overall, I agree with Senator Murkowski and with Mr. Watson. If we are not maintaining why are we acquiring more, and this is a compelling reason. If you could share with the Committee, kind of, the map of what you have done not to dispute, but just so I can understand. Oh, yes, here it is truly, completely coloring in, but every now and then we kind of bridge a gap.

If you could do that, again, I say that not to dispute or to accuse, but just to understand.

Mr. CONNOR. No, I think we've got some information like that that we'll be happy to provide to the Committee.

Senator CASSIDY. Thank you.

[The referenced information was not received at the time of printing.]

Senator CASSIDY. I yield back.

Mr. CONNOR. Absolutely.

The CHAIRMAN [presiding]. Thank you, Senator Cassidy.

I want to pursue a little bit more the discussion about state side verses Federal side because, as I mentioned in my statement, when LWCF was first established 50 years ago it seemed that there was a more directed congressional intent in terms of how the allocations would go. It seems that we have really deviated from what that original intent was.

Mr. Ledford, you have suggested a specific allocation to states. I do not remember if you said 60 percent or over 60 percent should be allocated then to state side. To effectively put that in more concrete terms so that we do not have the discretion, some would call it the flexibility, but the discretion to put more toward the Federal acquisition side. I would ask you, Mr. Connor, why have we seen such a shift to the Federal acquisition side moving directly against, again, the initial intent which was a more even allocation between State side and Federal side?

Is that fed piece just using muscle? What is happening, and do you think it is a bad thing that we should go back to the original intent?

Mr. CONNOR. We talked a little bit about this in Senator Barrasso's questions, and he referenced the 60 percent original goal for state side. And that was, I think, modified by subsequent amendment to the act itself.

And what I represented is we're about at a 60/40 split from our perspective. We've moved in that direction because we've got more flexible tools now, I think, to deliver resources to the state and local entities. It's not just the state side program, the traditional program, of giving money directly to the states according to the formula.

We've got the grant programs which all go to local entities, particularly for legacy program within the Forest Service, the Cooperative Endangered Species Grant Program which goes to the local entities in a lot of cases to acquire conservation easements associated with habitat and conservation plans which achieve local goals, as well as the Urban Parks and Recreation Programs which Senator Barrasso mentioned, that we made an announcement yesterday.

So the 40 percent of the resources are really going to state side local entities, not to any Federal entity, not for any Federal acquisition.

The CHAIRMAN. Let me ask Mr. Ledford if he agrees with all that.

Mr. LEDFORD. To clarify from my point of view, the state program receives 12 and a half percent, on average, in the recent years. Those other programs don't go through the competitive planned process that come to the states. There are more Federal programs that are given directly to other programs verses the match that the 50 percent at least match that the local communities are providing with the state. So we're actually at a 12 and a half percent or there about allocation. And then the local governments or institutions are matching that fund, but it is in the 12 and a half percent that goes through the state assistance program. The related purposes would be what you would consider that were added in 1998 that allow for the other funds.

The CHAIRMAN. Let me ask you another question on that because some have suggested that the oversight or the accountability measures with regards to state assistance LWCF programs, there are some issues as to whether or not the funds are going in the direction where the programs are authorized. What kind of oversight do we have? What kind of accountability do we have on the state side?

Mr. LEDFORD. Well each state has a gubernatorial-appointed state recreation liaison officer that manages the program for their state. It's watched the entire time with the program, every five years there's an inspection and authorization that the projects stay in perpetuity to the intents that it was set up to be established for the operation of the outdoor facilities for the park.

The CHAIRMAN. So we do have a level of oversight in place that is pretty clearly defined then?

Mr. LEDFORD. Absolutely, and I would like to go on to clarify with some of these other points that the state side does allow for land acquisition as well.

The CHAIRMAN. Right, right.

Mr. LEDFORD. On the state programs, not just facilities.

The CHAIRMAN. Right, understood.

Let us go next to Senator Alexander.

Senator ALEXANDER. Thank you.

Thank you, Madam Chairman, and thank you for the discussion.

In 1985 and 6 I was Chairman of President Reagan's Commission on Americans Outdoors and one of the major recommendations was to fully fund the Land and Water Conservation Fund and do it in a mandatory way. That has never been, in fact, realized because of the way our budget system works here. But after spending a year and a half chairing, I was a Governor then, looking at all these issues, I came to the conclusion that maybe we needed a conservation policy for the Western United States and a different one for the Eastern United States. And I still feel that way.

I can understand how Senator Murkowski feels about acquiring more land in Alaska because, the Federal Government owns so much of Alaska. Tennessee, North Carolina, we are different, you know? We have got the national park, the Great Smokey Mountains is 500,000 acres which we bought and gave to the Federal Government and then there is the Cherokee National Forest. And that is close to it.

We like the fact that Land and Water Conservation money is used to help acquire Rocky Fork which was a Forest Service priority, and so there is a completely different attitude, and I think one of the great things about our country is that we are big and diverse, and we are not one size fits all. So why should a one size conservation policy fit every single state? Why shouldn't we say to a state like Tennessee that if you want to use your Land and Water Conservation Fund money to acquire more lands have at it? And to a state like Alaska, if you want to use some of it to maintain what you have, you can do that. What would be wrong with that, Mr. Secretary?

Mr. CONNOR. Thank you, Senator.

I think we've acknowledged and I heard Secretary Jewell acknowledge and I think this came up in our budget hearing the fact that there is probably more enthusiasm for the LWCF in the Eastern states vis-a-vis the Western states, probably not because of more interest in conservation, but it's probably the land acquisition piece in and of itself. I'm not quite sure how a different kind of conservation policy East and West would play out.

Senator ALEXANDER. One way to express itself the last time we dealt with this it seemed like, when we created a little bit of mandatory funding for the Land and Water Conservation Fund a few years ago it all went to the state side because the westerners did not want any more Federal land acquired. So that was an implicit recognition of what I just said.

While I am on that how much money, so far, has been produced by the one-eighth of cent, I guess it was, of mandatory funding for the state side of the Land and Water Conservation Fund in the Energy bill of 2005 or 7, whichever it was, 2007?

Mr. CONNOR. It hasn't manifested itself in great amounts so far.

Senator ALEXANDER. But how much?

Mr. CONNOR. I think it's probably in the neighborhood of \$4 to \$8 million.

Senator ALEXANDER. Yes, I think it is \$3.6 million. Is that right?

Mr. CONNOR. That is probably right.

Senator ALEXANDER. Yes.

Mr. CONNOR. And maybe——

Senator ALEXANDER. You ought to know that. [Laughter.]

Mr. CONNOR. Yes, sir.

Senator ALEXANDER. If it is only \$3.6 million. That is the only mandatory funding we have, isn't it, for the Land and Water Conservation Fund?

Mr. CONNOR. It is. But as you know, as of 2017 the amount that that applies to, that incremental value of revenues does increase.

Senator ALEXANDER. It could increase or does increase. What happens in 2017?

Mr. CONNOR. So it was a sliver of those oil and gas revenues of an area within the Gulf of Mexico.

Senator ALEXANDER. Right.

Mr. CONNOR. It was eligible to be used for those revenues for the state side program. That area increases substantially in 2017. So as of 2018 I think we're looking at a cap of about \$125 million. It could get to that cap and you could have \$125 million for the Land and Water Conservation Fund state side program depending on where oil prices are at that point in time.

Senator ALEXANDER. It could get to it.

Mr. CONNOR. It could.

Senator ALEXANDER. It could get to it.

Mr. CONNOR. Exactly.

Senator ALEXANDER. But so far it is \$3.6 between 2009 and now which is not a whole lot of money.

Mr. CONNOR. Right.

Senator ALEXANDER. I would like to reintroduce the subject of user fees. Every time I have looked at the maintenance backlog of the National Park System it is mostly roads and that kind of thing. Roads ought to be paid for by people who drive. I do not know why it's not part, as it has been before, of our National Transportation system program. I don't know why we would take valuable dollars that we should use, that we need to use, to maintain parks and use it to maintain roads.

For example, there is one road through the Great Smokey Mountain National Park, only one. It is a major highway. Maintaining it is a big deal. I assume that comes out of the National Park Service funds. Is that correct?

Mr. CONNOR. There are some funds. We are looking at fees and——

Senator ALEXANDER. No, I mean, the road through the Great Smokey Mountain National Park. Is that paid for by park funds or by highway funds?

Mr. CONNOR. I think we would prioritize most of the major work that needs to be done out of the Transportation bill, the highway funds, but I'm sure there are some Park Service funds that go toward that.

Senator ALEXANDER. Do you——

Mr. CONNOR. We could look——

Senator ALEXANDER. Do you not know that?

Mr. CONNOR. I do not know that off the top of my head.

Senator ALEXANDER. Well, why don't you know that? I mean, that is the most visited National Park. It is the only road through the park. You are the Deputy Secretary. You ought to know that.

Mr. CONNOR. I'm going to know that very soon, sir.

Senator ALEXANDER. Yes, I think you should. I mean you ought to know exactly how much money is coming out of the mandatory fund in LWCF. You ought to know how much money, I mean, if we are going to be having a whole hearing about maintenance, we ought to know whether the highway funds are coming out of the Federal highway system or whether they are coming out of the park system.

My time is up, Madam Chairman.

The CHAIRMAN. Senator Warren?

Senator WARREN. Thank you, Madam Chairman.

The Land and Water Conservation Fund is a good example about how environmental protection and economic growth can reinforce each other. A recent report by the Trust for Public Land found that for every dollar invested in the Land and Water Conservation Fund returns of \$4 came in economic value, not only through the benefits of recreation and tourism but also through less obvious benefits such as protecting water quality, water supply, guarding against floods. Some of these you referred to in your testimony.

But Mr. Deputy Secretary, could you just give me one or two quick examples of how Federal land acquisition under the Land and Water Conservation Fund generates economic value?

Mr. CONNOR. Absolutely.

There are ancillary benefits that are certainly real from an economic standpoint. As you mentioned, protecting our water supply and Ms. Scarlett gave a very good example of how in one instance there was, I think it was in the Connecticut River Basin, the protection of the water supply alleviates the need for doing certain maintenance activities. And so, that's an example.

But certainly I think there are numerous examples of recreational benefits of enhancing that outdoor recreation industry, and that certainly is through our access programs, the Niobrara National Scenic River, the Smith River National Recreation Area in Oregon. These are all areas that have been identified as a high priority by not just the Federal Government, but the state and local communities because of the economic viability of those recreation areas and the yield to the local economies.

Senator WARREN. Well some have suggested that the Federal Government is using these tools to expand the footprint of Federal lands in our states. So I actually want to focus on this. When land is acquired through the Land and Water Conservation Fund does it represent an expansion of the Federal footprint or does it mostly involve infill, that is buying up properties that are already surrounded by Federal land and creating an easier to manage unified piece of land?

Mr. Deputy Secretary?

Mr. CONNOR. Over the last five years it greatly goes to inholdings within existing conservation units. 99.25 percent of the acquisitions have been within those external boundaries. In fact

the National Park Service and the Fish and Wildlife Service only acquire lands within their external boundaries.

The Bureau of Land Management does have the ability to acquire them outside but they prioritize inholdings and edge holdings. And there are, that 99.25, that small percentage that's not inholdings is BLM and it's three acquisitions that they've made within the last five years.

Senator WARREN. Sir, I just want to underline that number. That is 99.25 percent of all lands purchased for the Department of the Interior go for filling in holes that were privately held in the middle of Federal park lands.

Now in Massachusetts the National Park Service recently expanded the Cape Cod National Seashore area in precisely this manner by acquiring an easement of the North Highland Campgrounds which was already surrounded by National Park land. Can you walk us through why these purchases, in many cases, actually reduce the cost to taxpayers and make it easier to manage Federally protected lands?

Mr. CONNOR. From many levels we've talked about how these inholdings require additional fire protection activities which certainly is an additional cost on a yearly basis.

Ease of management, quite frankly, where we have inholdings and private property. We have to take care to limit access to those private properties and keep people within the publicly available lands, so it's a management challenge.

From a habitat standpoint it's also a management challenge, and it eases overall management goals with respect to connectivity and habitat and water supply restoration efforts. If we've got one ownership and it's part of a conservation unit and so on many different levels there's efficiencies to be gained from addressing the issue of inholdings.

Senator WARREN. Well, thank you very much. I appreciate you all being here today.

In Massachusetts the Land and Water Conservation Fund has been a very strong success. It protects a diverse collection of areas from forests and watersheds such as the Conte National Fish and Wildlife Refuge that provides many ecological benefits to important historic sites such as the Minute Man National Historic Park. Good for our environment, good for our economy.

I am looking forward to working with my colleagues to reauthorize and fully fund this program so we can continue to have all of the tools we need to protect this land for our kids and our grandkids.

Thank you, Madam Chair.

The CHAIRMAN. Thank you.

Let us go to Senator King.

Senator KING. Thank you, Madam Chair.

I would like to step back and talk about the original purpose of the law. This is one of the most far-sighted, in fact, visionary statutes passed in the last 100 years. I have always thought that the people who had the foresight to set aside Central Park in Manhattan at a time when that island was very sparsely populated and to preserve that land is one of the great acts of genius in our country.

Of course, the national parks fit into the same category. Ken Burns said they were America's best idea. They are one of the few things we can do around here that is permanent, as permanent as anything can be. Laws and statutes come and go, but once land is set aside for the public, it is there permanently.

I think it is important to realize that the funding source here, the offshore oil and gas revenues, those resources belong to the public, and we are using that money that comes from property that is owned by boys and girls in Bangor, Maine and people that live in Alaska and people that live in San Francisco or Alabama or New York. Those are their assets and we are allowing people to use them for commercial purposes. There are fees involved, and turning that money back into access for people to the public is absolutely essential it seems to me. This whole discussion, to me, is a great big example of the failure of Congress to adequately address the country's needs.

Mr. Watson, you made an eloquent case for adequately funding the national parks not raiding the Land and Water Conservation Fund to do what Congress should be doing in the budget of the national parks or how about this? Funding the Highway Trust Fund. That would be a good idea. It goes broke in 30 days. We have patched it, I do not know, ten or 11 times. Senator Warren just whispered, embarrassing, and that is what it is.

We are like a search light searching for pots of money that can be sucked up to meet the needs that we ought to be doing in the ordinary course of budgeting. By the way, Mr. Connor, I do not let the parks all fall together. I have gone after Secretary Jewell about the failure to collect fees adequately at the parks, and you need to modernize that system because a lot of people that come to the national parks, I know people come to Acadia, tell me, "We would like to pay, but we could not figure out where the entrance was." So we need to work on that.

But I just think the fundamental question here is once we start saying well this is a slush fund for covering deferred maintenance then, forget it. We may as well repeal the statute and name it something else because it is not going to be living up to its purpose. And this country is growing.

It is also interesting this is a regional issue because it is very different in the West. I was just talking to Senator Risch from Idaho. Two-thirds of the land in Idaho is owned by the Federal Government. That is not true in the East where public lands are so important in terms of people's access to the outdoors, people's recreational access.

The other thing we need to remember is this money is not just for Yosemite or Acadia National Parks. I met recently with some friends in Maine, Steve Balboni, Tracy Willette and Denise LeBlanc. They are local park officials in Bath, Maine, Bangor, Maine, Skowhegan, Maine. They run summer programs for kids, and they have recreational opportunities. They work with the school lunch program. This is real important. We are not hugging trees here, we are hugging kids nationwide, and I think that is very important.

Finally I am passionate about this because my wife and I are RVers, and we have stayed in some sensational state parks. Dead

Horse Point State Park in Utah, state parks in Georgia, state parks in Washington State, national parks all over the country.

This is who we are, and it is one of the greatest things about this country. I am just very intent, as you might be able to tell, that we not, in effect, convert this statute, this far-seeing visionary act of genius by our forbearers in this institution, to a maintenance fund to fix roads and curbsides in our nation's parks and in our community parks across the country.

I have used up all my time, so if you could find a question in there you are welcome to it. [Laughter.] I just feel so strongly about this, and I appreciate all of you coming. Mr. Watson, I know I cited you in particular, so certainly.

Mr. WATSON. I found a question there, if I may?

Senator KING. I want you to come to the Appropriations hearing and make the same case for funding the roads and the bridges in the national park.

Mr. WATSON. I'd be happy to.

I hear you wholeheartedly, and I think raiding the Land and Water Conservation Fund to turn it into a maintenance fund is the wrong idea. But as I said and I said it colloquially, as my Dad said to me, when you're digging a hole, when you find yourself in a hole, stop digging.

And that's the point. That's the thrust of my testimony is we should probably stop acquiring more lands and stretching those maintenance dollars further rather than raiding the fund for maintenance. But we need to do something.

The National Park Service itself estimates that it needs \$700 million a year just to hold the line, just to maintain the current backlog, not even to start drawing it down. So this is a significant financial issue. You said who we are. This is who we are, and I couldn't agree more.

And as we think about celebrating the National Park Centennial what are we going to celebrate? Are we going to celebrate acquiring a lot of lands that are no longer maintained, the roads are crumbling and inaccessible and wildlife habitat is deteriorating? And we're literally poisoning our Sequoias with waste water or chlorinated water or do we want to celebrate stewardship?

And I think back 50 years to what the original forbearers who passed this visionary law were thinking about, and I suspect they were thinking about stewardship and conservation, not necessarily acquisition in the name of acquisition.

Senator KING. Thank you.

It looks like we are in charge, Senator Gardner.

Senator GARDNER [presiding]. Thank you. We have to find questions all over the place now, you and I.

Thank you very much to all of you for being here today.

It is great to see you, Lynn. It is great to see you. Thank you, Ms. Scarlett, as well for being here. And thank you to the Chairman Murkowski and Ranking Member for holding the hearing today on a very popular and bipartisan program.

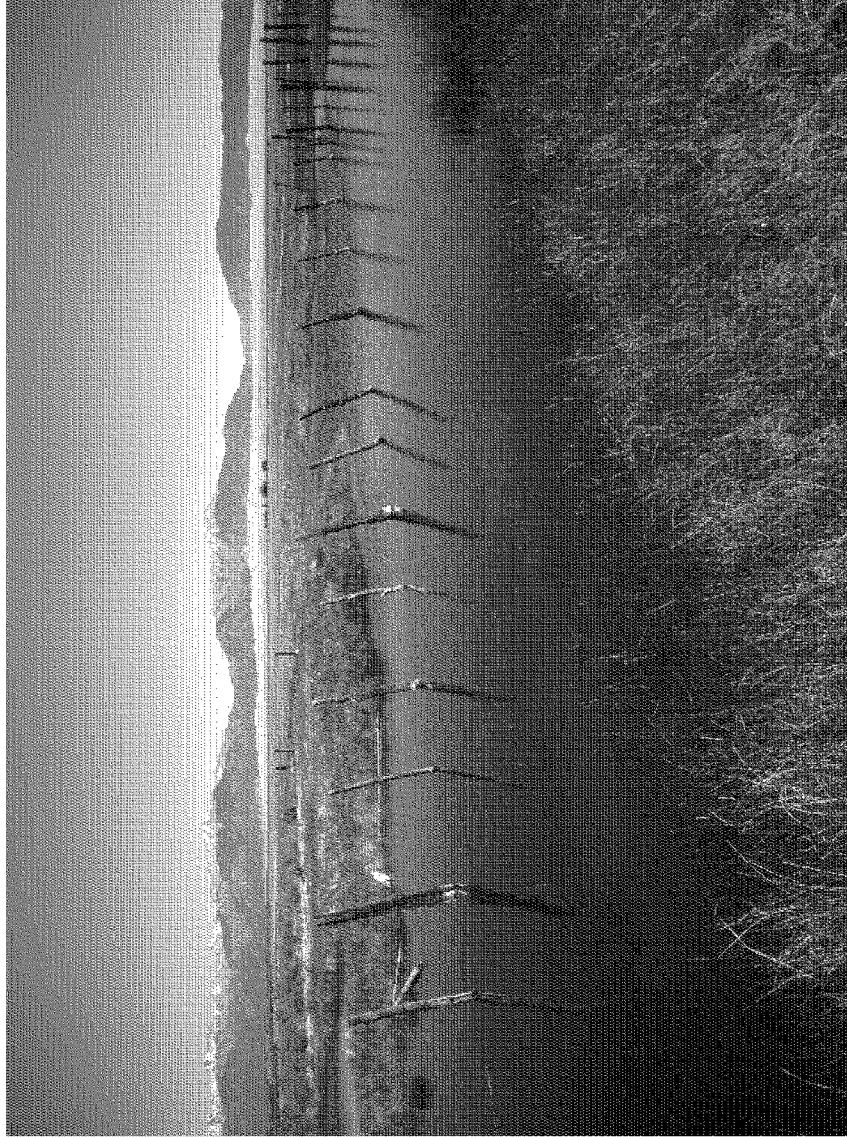
Over its 50 year history the LWCF has conserved iconic landscapes in every state and is our nation's most important conservation program. According to Colorado Parks and Wildlife since the inception of the program approximately for every \$1 approximately

in LWCF grants that have been made in Colorado it was leveraged with \$2.50 in investments dedicated to the construction and maintenance of outdoor recreation throughout my state.

This type of conservation system has helped Colorado establish an outdoor recreation economy that contributes \$10 billion of economic activity to our communities and supports over 107,000 good jobs. I was proud to support Senator Burr's amendment during the Keystone debate that would have permanently reauthorized LWCF. Furthermore, in the past LWCF funds have helped eliminate the threat of water exports from the San Luis Valley in Colorado to help create the Great Sand Dunes National Park and the Baca National Wildlife Refuge.

We have a picture here of somebody who is really mad that water is interfering with their fence, but beautiful. In the background you can see the sand dunes and the mountains in the back. And because of LWCF we have these lands in Colorado that may not have been preserved otherwise or protected for current and future generations to enjoy.

[The information referred to follows:]



I would like to share this picture along with another photo that we have of the Baca Ranch just to show one, of the many opportunities that we have across this country to preserve some of the greatest landscapes that we have.

[The information referred to follows:]



So to Director Scarlett, I have seen the value that LWCF can bring to a community by helping purchase inholdings on Federal lands. Could you speak to the importance of purchasing inholdings at a broader level, a national level?

Ms. SCARLETT. Yes.

As those gathered know when the Congress designates parks, refuges, etcetera, they designate the boundaries of those places. But sometimes at the point of designation not all the lands within those boundaries are actually available and so many of those lands end up as Deputy Secretary Connor suggested, with inholdings. By being able to actually acquire those inholdings there are a number of benefits, not only in terms of recreation, in terms of preventing land fragmentation and indeed, even undermining some of the original purposes of the parks or the wildlife refuges but significant management benefits.

And I do want to say, I think it's a mistake, as Reed Watson suggested, to think that land acquisition is in competition with management enhancement.

Let's think of wildland fire, something in your state you're really well familiar with. Prescribed burns cost about 95 percent less than mechanical treatment. And to be able though to do those prescribed burns actually requires that you have some contiguous lands. It's very difficult to do them where you have inholdings for fear of encroaching on those private lands. That's one example. There are many, many others where those acquisitions significantly enhance management.

I think Secretary or Deputy Secretary Connor also mentioned the issue of public access. And one of the challenges where you have inholdings is from the public standpoint they don't know where that private boundary begins and the public one ends. And so there's a challenge for the agency of managing those boundaries to make sure people don't trespass on those private lands. Removing that challenge by acquiring that inholding can significantly benefit the public in terms of trail continuity, but also the agency in terms of management. Really the list goes on and on.

Senator GARDNER. Yes.

Deputy Secretary Connor, Colorado has been fortunate to have a very successful state program, Great Outdoors Colorado. They have done amazing work, but there are areas where the Federal Government just simply has to take the lead.

Rocky Mountain National Park is celebrating its 100th anniversary this year, and there is one particular inholding on one of the main park roads that has become available for acquisition by the park. The State of Colorado, Larimer County most likely, will seek to secure that inholding.

Would you please address a little bit about what Ms. Scarlett said in terms of the two not being in competition with each other, the land acquisition, inholding acquisition, those two efforts—

Mr. CONNOR. Absolutely. I absolutely agree. They're both high priorities.

I think it shouldn't be looked at as LWCF adding to the maintenance burden because of all the efficiencies that we've talked about today with respect to management and not only firefighting efforts which I talked about to some extent. But also, absolutely, the pre-

scribed burn, the daily type of maintenance and management activities that we have to do to take care of these lands which are made more easy by acquiring these inholdings. So there's efficiencies in those programs that don't make it necessarily an additional burden. It actually helps in our overall management and our efficiency in managing public lands. We do need to deal with, separately though, the backlog of deferred maintenance.

And I think Mr. Watson's absolutely right. We have the park's Centennial coming up. That's the reason why we have this initiative in the 2016 budget to get on a very definite program to deal with that \$11.5 billion maintenance backlog of which about \$4.9 billion is non-transportation assets, about \$5.6 billion are transportation assets and get, particularly, prioritize as our highest priority assets and have this ten-year program to not only get them back into good condition but ensure that we can maintain them in good condition. Our budget proposal does provide for that just as it provides for the Land and Water Conservation reauthorization and mandatory funding.

Senator GARDNER. Thank you.

Madam Chair, there was only one attempted rebellion while you were gone, so we were happy to restore order. [Laughter.]

The CHAIRMAN [presiding]. Thank you, I appreciate that.

Senator Manchin?

Senator MANCHIN. Thank you, Madam Chairman.

In the great State of West Virginia we know the importance of protecting our public lands. They are a source of economic activity and connection to our heritage. Each year nearly a million people take advantage of the beauty, beautiful, public lands in West Virginia, and we are very proud of that.

We generate about \$7.6 billion in consumer spending and 82,000 jobs which we are very appreciative for that. These jobs provide about \$2 billion in wages and more than half a billion in state and local tax revenue. The Land and Water Conservation Fund has provided over \$230 million to West Virginia over the past 50 years including nearly \$50 million for the New River Gorge area, the picture of which I have with me. As you can see it's a very, very beautiful place.

[The information referred to follows:]



The New River is one of the oldest rivers on Earth. It was home to early coal mining and company towns, railroads and farms, and today it is known for world-class whitewater rafting as well as hunting, fishing, camping and just about any outdoor activity. Protecting lands like these across the United States should continue to be a priority for Congress which is why I am proud to co-sponsor a bill this Congress to both reauthorize and fully fund this important program.

Let me ask you all, with GOMESA funding currently the only sure funding going to LWCF, can you please share your thoughts on the challenges our network of public lands, State and Federal, will face if one of the LWCF programs has guaranteed funding and the others do not, where your priorities may be? Who would want to jump in on that?

Mr. LEDFORD. From the state perspective GOMESA, you know, we are very appreciative of all the funds that we have available.

Senator MANCHIN. Sure.

Mr. LEDFORD. But there is a cap and ceiling on that that would be just over \$125 million total coming in. So that doesn't get us back to the amount of equitable allocation that we would seek to have from the reauthorization of LWCF. But again, we're very appreciative of all those funds to be brought to the table.

Senator MANCHIN. How do you all categorize and pick the ones you think are most effective because we do not want to lose any. So we will be sitting here defending our states and all the programs that we have, and they have all been helpful. But as you start prioritizing because of budget restraints, where do you go? How do you go? Do you hear from us? Listen to us or our states? Do you ask us to prioritize which ones we need the most and have the most effect or do you just cut across the board because it is easier that way?

Mr. LEDFORD. Each state has a statewide comprehensive outdoor recreation plan that analyzes and prioritizes based on demand, trends, supplies, opportunities. That's a very open process to select those highest priority projects.

Senator MANCHIN. So you do not pick any one of the programs within your jurisdiction as far as one you are going to that you think has the most return and the most good for the people?

Mr. LEDFORD. We try to go through those priorities that is established by that statement.

Senator MANCHIN. Well I am saying your funding, coming from the Federal Government. If it starts cutting back do you just go across the board and take all the cuts?

Mr. LEDFORD. Yes.

Senator MANCHIN. That is the way—

Mr. LEDFORD. Well on the state side, yes.

Senator MANCHIN. Federal side too.

Mr. LEDFORD. Yes, we—yes.

Mr. CONNOR. On the Federal side we'll continue to prioritize with whatever resources we have. We think the mandatory funding proposal is incredibly important to add stability to the program to allow the benefits of efficiency and long term planning, but we have prioritized our acquisitions based on conservation value, the man-

agement efficiencies we get out of it and the threats to the resource, quite frankly.

And so each agency has its own set of priorities that are doing acquisitions. We also have a collaborative conservation program that looks at large landscapes, and we're doing that very much across the Federal Government and with the state and local entities.

Senator MANCHIN. Let me go to one more question then.

As you may know, West Virginia is proud to be the third most forested state in the nation. I have my dear friend here from Maine who may be trying to take claim for one of the other ones. Close to 80 percent of the entire state is forested in West Virginia. It is unbelievable.

Timber production from these forests are critical to the state's economy, but they are equally important for providing clean water, outdoor recreation, hunting, fishing and many other uses. Importantly 87 percent of our forest land is privately-owned while only 13 percent is in public-ownership.

You mentioned in your testimony the Forest Legacy Program which helps maintain private forest land and its other related purposes with LWCF. Can you go into more detail in how the Forest Service uses this particular program to work with the states and private landowners to protect public lands? How do you coordinate that?

Mr. CONNOR. The Forest Legacy Program, I know that it's highly valued by the states. It's at the Department of Agriculture so I'm probably a little spare on the details itself.

Senator MANCHIN. Okay.

Mr. CONNOR. But I do know that they've used this very effectively to keep working lands in production as much as we do with respect to range land within the BLM.

The Forest Service has looked at these as opportunities to support the conservation easements, working lands, those forests, to achieve conservation goals, but to ensure that they stay in those ownership, that they don't get developed and that they can be used for revenue production also.

Senator MANCHIN. Thank you, Madam Chairman, and I yield my three seconds back to the Senator from Maine.

The CHAIRMAN. Thank you, Senator Manchin.

It looks like we have got an opportunity for a couple more questions here. Again, I apologize that we have been in and out throughout this hearing.

As I have come in and out I have heard you all repeating comments that you had made previously in response to other members, and I apologize for that. Maybe you are just reinforcing your statements here.

One of the things that I wanted to ask that I hope has not yet been addressed was how you identify for purposes of purchasing lands through LWCF funds to address the public access issue. I mentioned in my comments, again, that in Alaska and many remote parts, I think you, Senator Daines, mentioned that there are parts of Montana, parts of Alaska, parts of the country that it is really difficult to access these public lands whether it is for hunting, fishing, recreational opportunities. What do you do, Mr. Con-

nor, in terms of identifying and how are our sportsmen and women incorporated into a process of prioritization?

As you have heard, Senator Heinrich and I are working on this bipartisan Sportsmen's bill. We have some pretty good provisions within that, but we want to make sure that the interest, the voices of the users of our public lands, are heard as well when you are identifying priorities.

Mr. CONNOR. Absolutely.

Well we do rely on the local land managers working with the local communities on identifying those high priority access issues. And through that effort we have gradually increased what is essentially a set aside within our programs to ensure access. And I think in the 2016 budget across Interior and USDA it's a \$20 million set aside out of the overall request.

I would say also we're sensitive with respect to—so there's the specific set aside for specific recreational access to sportsmen and sportswomen for hunting, fishing, those type of activities. There's also, I think, overall we've looked at our acquisitions and about 90 percent of the acquisitions do allow for public access too. There are some instances where we have conservation easements on private lands where private access is not or public access is not part of the acquisition in that sense and more that's for conservation efforts and to maintain the working nature of those lands. But we do try and ensure access through the overall program as well as the specific set aside.

The CHAIRMAN. Now under the North American Wetlands Conservation Act, the NAWCA, the grant proposals there are reviewed, they are ranked by a conservation NAWCA Council. It is a nine member board that is established by the Act, and they make recommendations for funding for specific projects. Some have suggested a similar process for sportsmen to weigh in and to provide input for a prioritization. Is that something that the Department would be favorable to?

Mr. CONNOR. We would certainly consider that and think that's worthy of discussion.

The CHAIRMAN. Okay.

As we think about our public lands and the issues relating to maintenance and the backlog, we must absolutely place the priority there. The second concern that I am hearing from folks that are utilizing our lands in Alaska is—these are public lands but it sure does not feel public to us. It feels like it is only the land managers themselves that seem to have access to some of these places. Particularly in Alaska, because of the remoteness the access issues are real. It is something that I want us to look critically at and again incorporate the views of those who will be using these lands.

I want to go to Senator Daines, and then we will probably have a chance to wrap up unless anybody else comes in with one more opportunity.

Senator DAINES. Thanks, Chairwoman Murkowski.

I want to go back and reemphasize that point regarding the importance that our lands play in terms of our economic development in a place like Montana. I talked a little about the software company that we built there. I talked about that I love it, dot.com, here, was a recruiting website. We also had another ad we went

by that says work where you also like to play. We really can have it all. You can work and get a good wage, and yet, you are just 50 minutes away from access to trails and a stream.

I think we do need to sort out as a Committee this issue on maintenance backlog. How do we continue to fund and support LWCF? How do we also address the issue here with a backlog and taking care of the existing lands?

I want to go back to Mr. Connor. Could you help the Committee, maybe provide an estimate of the cost savings within Federal agencies by acquiring these inholdings, by consolidating these checkerboard ownerships? Because I think part of what we are trying to do here is simplify sometimes a very complex land ownership map. I am referring to cost savings associated with perhaps the management costs of managing the complexity of a checkerboard situation verses the savings that you mentioned by not developing it that relate to wildfires.

I would assume it is easier and simpler to manage consolidated lands than have to figure out a way, it is pretty inefficient to manage a very checkerboard situation. So is there any way you can quantify, looking for how we are saving money by consolidating and providing better access to our public lands?

Mr. CONNOR. There have been some quantifications in specific situations. Such as I mentioned in my testimony with respect to the National Park in Alaska where we acquired native allotments and the projection for the Park Service said that the savings were about \$60,000 per tract that had been acquired with respect to reduce wildfire fighting costs. And so I know we have anecdotal quantification of the benefits. We can check and see. You can get as much information in different contexts.

I think Ms. Scarlett raised a very good point, not just fire fighting in the premium that we have to have on inholdings to protect structures or private property, it also the ease that we have with respect to prescribed burns as a way of managing the resource as opposed to mechanical issues.

Senator DAINES. Yes, I would think there would be efficiency gains, again any sportsmen in Montana knows you have to spend about half your time looking at your GPS wondering where in this checkerboard arrangement. I would think we gain efficiency and more effective management through the investment in LWCF funds where we consolidate and bring greater access. I think that would be a strong argument, again, for additional benefits for LWCF as we look at moving forward here on reauthorization.

Mr. CONNOR. Yes, there are savings on many levels.

Senator DAINES. I think if you could help us on that it would be, I think it would be a compelling argument as well here too.

I want to turn to Mr. Watson. It is always good to see somebody from my home town of Bozeman here.

You propose using portions of LWCF to fund the maintenance and operation of existing Federal lands. I know there was the Tenderfoot acquisition in Montana where there was a private entity that set aside five percent of the purchase price to assist the Federal agency in land management of that acquisition. Do you think encouraging similar arrangements would that help alleviate some of your management concerns?

Mr. WATSON. Possibly, but one of the points we made earlier in the hearing was this is such a large issue now that, truth be told, the Land and Water Conservation Fund is somewhat a drop in the bucket. As I said earlier the National Park Service is estimating \$700 million a year just to hold the line in their current maintenance backlog.

I think we've got to think more holistically about this. Land and Water Conservation Fund can be a component of a larger strategy to address the maintenance backlog issue. Another one being, as I mentioned earlier, perhaps land swaps to address the checkerboarding and inholding issue that you just mentioned in a more revenue neutral manner. And third and finally, the one point I would emphasize here too is the user fees and charging the people who are driving much of this maintenance backlog, particularly in terms of transportation in terms of roads maintenance. That's an important point to consider as well. Allowing Federal land managers to charge fees and retain those receipts onsite is a pretty effective mechanism for addressing many of these issues.

Senator DAINES. Thank you. I am just about out of time. Ms. Scarlett, do you have any thoughts on that as well? I could see you nodding your head. There's something there that probably needs to be said.

Ms. SCARLETT. We have two challenges as we think about the maintenance backlog.

One is, of course, the size of that backlog and one of the various tools to address it. Since half of that backlog is roads thinking about the reauthorization of the Transportation bill and ensuring that the portion for Federal lands is incorporated and incorporated sufficiently is important.

Certainly recreation fees during my time at the Interior Department we managed to work with the Congress to get passed the Federal Recreation Enhancement Act which fundamentally was focused on user fees.

But there's a piece that we keep missing, I think, in this conversation. It goes back to something I said about the Fish and Wildlife Service. What we need to be sure of is that the approach we utilize to address the maintenance backlog is actually one that imbeds into the annual management structures of the agency. Incentives to do that work well.

And I look to the Fish and Wildlife Service as a case in point. Without any additional funds but simply by setting up very clear priorities, understanding what their maintenance backlog actually was, realizing that some of the items categorized were really pretty low priority. Roads not used by anybody but perhaps some of their own staff in remote places. They actually have been able to half their maintenance backlog in just a few short years, and I think looking at those management tools, something I spent some time on while I was at Interior is critically important. Not just thinking of giving a slug of money because that won't necessarily change the management structures. Really focusing on those structures, I think, is part of the picture.

Senator DAINES. Thank you, Ms. Scarlett. I am out of time.

Thanks for the time here, Madam Chair, and I do think Congress needs to continue to do more in this area with LWCF as well as

that we are looking at the timber reform for our healthy forests. We can improve all ten of our national forests back home in Montana and help revitalize the timber economies, create jobs. I am looking forward to additional work we are doing on this Committee here in these areas.

Thank you.

The CHAIRMAN. Well, I appreciate that.

Good comments and good testimony this morning from all.

Mr. Watson, you made a point at the end there as we were talking about how we find efficiencies, and I think we all want to find efficiencies. We have to from a fiscal perspective, it is a priority.

There are other ways to do it short of the Federal, the land acquisitions. As you mention it is the land swaps. It is the exchanges.

It is exactly what we did with the package that we put together within the NDAA last year where we were looking to address some of the inefficiencies that are inherent in this process, so that is one way to address the checkerboard and to do so in a revenue neutral way. I think that that is worthy of exploration.

I think it is also worth noting that when we are talking about the effort to make the land acquisition and we are seeing this real benefit in buying up these inholdings. It is only within the National Park Service that it is, as I understand it, a statutory requirement to limit land acquisitions to inholdings. It is not a requirement for other management agencies to limit acquisitions to inholdings. So maybe that's something that we look at for the others.

We also recognize that every time we add a new park to the lineup of our national parks as we did in NDAA. We add additional conservation units that have to be maintained. It then, kind of, builds on itself in terms of then how we have to deal with efficiencies because we have more areas that we have brought on line under our Federal management system. So it is something that I think we need to look critically at.

I am chewing on the thoughts that were raised by Senator Alexander about how land management is viewed in different parts of the country, and we just have to stipulate to the fact that it is different in Alaska than it is in Maine. We recognize that. Yet, as Senator Alexander has pointed out, we have a one size fits all type of an approach or mentality. I guess this is where I am coming from as I learn more to say, what are we doing on state side because that is how you really can allow for the differences in attitude and approach toward land ownership.

If you are from a western state that has big spaces and already a lot of public land you are going to be viewing it differently. The flexibility that state side LWCF can offer you, I think, does allow you the ability to not only provide for great spaces for people in our respective states and around the country, but again, allows for a level of flexibility.

These are some of the things that we are exploring as a Committee as we work toward reauthorization, again, something that I do support.

I do not think that LWCF is broken. There were some who suggested that was perhaps my leaning. It is not broken, but as with any program, there is always room for improvement.

This is a measure that was put in place 50 years ago, so I think it is right and appropriate and legitimate that we look at it in the context of how it is operating today because when it was put in place 50 years ago we were at a different place in terms of where we were with our land management and also in terms of where we were with issues such as maintenance and backlog. We probably could not have imagined that we would be looking at \$20 plus billion when we were talking about our backlog.

So as the times change we look at our laws and we review them. We should not get all excited that somehow or other we are going to be pulling the plug on an Act that has provided great benefit for Americans across the country.

I do think it is appropriate that we review it for its timeliness and ensure that the great benefits that we have seen historically will continue into the future for our kids and our grandkids and again, with a responsibility and a stewardship that we are all going to be proud of.

So I look forward to working with you. Know that we have good things that we have learned today. We will be doing more in the weeks and months ahead.

With that, I thank you. We stand adjourned.

[Whereupon, at 12:16 p.m., the hearing was adjourned.]

APPENDIX MATERIAL SUBMITTED

**U.S. Senate Committee on Energy and Natural Resources
April 22, 2015 Hearing: The Land and Water Conservation Fund
Questions for the Record Submitted to Deputy Secretary Michael Connor**

Questions from Chairman Lisa Murkowski

Question 1: Many federal lands that have great benefit to sportsmen and women are inaccessible to varying degrees. What is the administration's plan to address access challenges on federal lands?

Response: The need to assure public access to the lands and waters we have is a critical component of our commitment to the American people. The Administration is continually looking at ways to increase access to federal lands for recreation purposes, both systematically and in individual situations as access issues arise.

For the last 5 years, the Administration has focused on the acquisition of inholdings (99.25% for DOI) to assure that all Americans can access these lands for future generations. Acquiring inholdings from willing sellers helps maintain the integrity of the lands where there is already a federal investment and protects them from harms that would result from incompatible uses on adjacent lands. The Administration is also utilizing funds that have been made available for easements and purchases of land to enhance access to the parcels of public lands that are not currently legally accessible to the public. The Land and Water Conservation Fund (LWCF) has been a critical component in ensuring this access.

As for improving access to federal lands specifically for sporting and recreation, the FY 2016 Budget contains over \$20 million in discretionary and mandatory funds for this purpose. This includes discretionary funds of \$8.5 million for Interior and \$5.0 million for the Forest Service and mandatory funds of \$6.5 million for Interior for improved access for sportsmen and hunters.

Question 2: On March 12, BLM testified before this Committee that the Department "strongly supports" the reauthorization of the Federal Land Transfer Facilitation Act (FLTFA). Since FLTFA was enacted, has the BLM used it to sell public lands at auction to the highest bidder? What portion of those sales conducted under FLTFA has been made to private citizens or companies?

Response: The Federal Land Transaction Facilitation Act (FLTFA) was enacted on July 25, 2000 (P.L. 106-248). FLTFA was originally authorized for a 10-year period and first expired July 24, 2010. On July 29, 2010, Congress passed an emergency supplemental appropriations bill which extended FLTFA for one year to expire July 25, 2011. All funds in the Federal Land Disposal Account on July 24, 2010, and on July 24, 2011, when FLTFA expired were deposited into the General Treasury, LWCF account which is subject to annual appropriations.

During FLTFA's 11-year history, 27,249 acres were sold under this authority and 18,093 acres of environmentally-sensitive and significant lands were acquired.

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The BLM conducted competitive land sales and sold land to the highest bidder using the General Services Administration online auctions process and in-person competitive land sales. The sales were made predominately to private citizens and companies and the acquisitions involved willing sellers. The acquired lands were within or adjacent to certain Federally-designated areas with exceptional resources managed by the NPS, FWS, BLM, and the U.S. Forest Service.

Question 3: States are required to engage in planning for their outdoor recreation needs and to select, based on established criteria in those plans, high priority state and local projects. What kind of planning process exists on the federal side for land acquisitions? Does the LWCF Act require a planning process on the federal side for land acquisitions? How is the public engaged in the process?

Response: The Department's federal land acquisition process includes robust public engagement. For example, at the Department level, the FY16 LWCF request includes funding for the Collaborative Landscape Projects, which are projects developed cooperatively with local communities to address specific conservation priorities identified through a collaborative process. Proposed Federal land acquisition projects are developed with the support of local landowners, elected officials, and community groups; agencies routinely field far more interest from willing sellers than they are able to meet with available funding. This broad collaboration around locally driven priorities provides an efficient and coordinated way to invest in, restore, and manage the country's natural and cultural resources. And, each Department bureau utilizes an established process to rank land acquisition priorities for itself based on available resources, mission objectives and local community and landowner input.

Question 4: How many acres have been acquired with LWCF funds since the beginning of the program? For the federal acquisitions acres, please include a table that lists the acquisitions by agency (National Park Service, Fish and Wildlife Service, Bureau of Land Management, and Forest Service) and includes the acres and the state for each.

Response: The Department can provide the appropriated funding by field unit and state, along with acres planned for acquisition when the funding was enacted for its bureaus for the time period 2006 through 2015. During this period, the total amount of acres planned for line item project acquisition when the funding was enacted was over 500,000 for line-item projects only. This table is attached.

The Department of Agriculture's Forest Service was contacted regarding an accounting of its Federal land acquisitions, and will provide that information separately.

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Question 5: Is the \$11.4 billion maintenance backlog within the National Park Service for high priority assets only? What is the maintenance backlog for medium and low priority assets (listed separately) within the National Park Service?

Response: As of the end of FY 2014, the total deferred maintenance backlog stood at \$11.5 billion. Of this total, \$2.2 billion is attributable to the NPS' highest priority non-transportation assets. Of the more than 75,000 assets managed by NPS, just over 6,700 are considered highest priority, and of these, 4,000 contribute to the deferred maintenance backlog. The National Park Service strategy is to focus its resources on these most important assets. The NPS has not separately listed the medium and lower priority assets.

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Questions from Senator Bill Cassidy

Question 6: Can you please share the primary sources of revenue to the Land and Water Conservation Fund (LWCF)? There are members of the committee, as well as some of you, who have advocated for the LWCF to be reauthorized and fully funded. While I agree that the LWCF needs to be re-authorized, I believe we can derive revenues for the fund through increased access to our energy resources on the Outer Continental Shelf. Could or should an increase in funding to the LWCF come from future OCS exploration and production as opposed to an appropriations increase that may require an offset?

Response: By statute, \$900 million is deposited into the LWCF account annually and is funded primarily through a small portion of revenues from federal oil and gas leases on the Outer Continental Shelf. Contributions from Surplus Property Sales, and Motor Boat Fuels Tax vary each year but are nominal compared to the amount from receipts on the Outer Continental Shelf. The Administration's mandatory funding proposal for LWCF provides full mandatory funding for LWCF projects beginning in 2017. This mandatory funding, in addition to increasing financial certainty, enhancing local conservation partnerships and optimizing investments, will achieve the original intent of the LWCF Act—the dedication of a small portion of the money collected from oil and gas development and invest it into conservation and recreation projects for the benefit of all Americans. It will also eliminate the need for offsets to any increases in annual appropriations.

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Questions from Senator Ron Wyden

Question 7: The National Park Service is dealing with a maintenance backlog in the nation's parks. What has the Department of the Interior and the National Park Service done, or what does it plan to do in the future, to take care of the maintenance backlog so that programs like LWCF don't get needlessly reorganized to pay for that backlog?

Response: The Department changed the focus of the Five-Year Deferred Maintenance and Capital Improvement planning beginning in FY 2015 to the highest priority assets that are mission critical. In addition, the Department requires that bureaus dedicate three percent of their construction budgets to the disposal of assets, eliminating deferred maintenance on unused assets. During times of limited budgets, focusing on the highest priority, mission-critical assets is a strategically sound plan that makes the best use of the maintenance funds available.

The FY 2016 budget request includes a significant commitment to address the NPS deferred maintenance backlog. The NPS strategy is to focus resources on the highest priority, mission-critical assets. As of the end of FY 2014, the total backlog stood at \$11.5 billion; of this, \$2.2 billion is attributable to the NPS' highest priority non-transportation assets. If fully funded, the levels requested in FY 2016 would restore all these highest priority non-transportation assets to good condition over ten years, and maintain them there through regular cyclic maintenance.

Question 8: In your testimony you mentioned that federal land acquisition actually reduces the cost of managing federal lands. Can you explain how inholdings are identified for acquisition and the process for completing the purchase of the land? And, how specifically does acquisition of inholdings improve maintenance and land management on large tracts of federal lands?

Response: Proposed Federal land acquisition projects are developed with the support of local landowners, elected officials, and community groups. Agencies routinely field far more interest from willing sellers than they are able to meet with available funding, and must prioritize which projects to include in the budget request each year based on criteria including project readiness, resource values to be protected, threat to the resource, and local support. Once funding is appropriated for a project, the agency works with Interior's independent Office of Valuation Services to appraise the property, completes title work and environmental site assessments, and finally makes an offer to the landowner for the appraised fair market value.

Acquisition of inholdings generally does not require additional operating costs as rarely are new staff or equipment required to manage new lands within existing

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boundaries. Occasionally, agencies may incur up-front costs to remove existing improvements (fences, buildings, etc.) from an acquired property. When possible or practical, the agencies require the landowner to remove such improvements prior to transfer of title to avoid inheriting these costs. By removing unwanted structures on newly acquired land, agencies avoid adding to ongoing O&M requirements.

Acquisition of inholdings can greatly simplify land management for federal managers and neighboring landowners. Eliminating checkerboard ownership within federal units simplifies nearly every aspect of land management. For example, wildland fire managers can apply appropriate fuels reduction, planned burns, and fire suppression treatments more easily and at less expense across an unfragmented landscape. Law enforcement and public safety personnel can more easily patrol and respond to emergencies when public ownership is consolidated, and recreation managers can more easily provide access for the public to enjoy their public lands. One additional major cost saving measure is eliminating potential trespasses from adjacent landowners which may be complicated and expensive to resolve.

Question 9: In the hearing, there was a lot of discussion around the source of the maintenance backlog, and that somewhere around 50% of the maintenance backlog was due to roads and other transportation projects within park boundaries that should actually be paid for by the Department of Transportation rather than the federal land management agencies. Can you provide the breakdown for the National Park Service – how much of your maintenance backlog consists of transportation projects and how much consists of other work such as facilities repairs or trail maintenance?

Response: As of the end of FY 2014, the NPS deferred maintenance backlog stood at \$11.5 billion:

- \$5.9 billion attributable to non-transportation assets, and
- \$5.6 billion due to transportation assets.

Nearly half of the deferred maintenance backlog is in roads, bridges, and tunnels—all critical infrastructure, which historically receive support from funding provided in Transportation bills.

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Questions from Senator Debbie Stabenow

Question 10: In your testimony, you stated that over the last five years, 99.25% of the lands acquired by the Department of the Interior were inholdings. You also described how the acquisition of inholdings helps to reduce maintenance costs within federal land units.

With funding from the Land and Water Conservation Fund being used almost exclusively to acquire inholdings, and the role these acquisitions play in reducing maintenance, would you say that the LWCF is already helping to combat maintenance backlogs?

Response: To the extent that the acquisition of inholdings reduces operating costs for federally managed lands, that acquisition frees up funding for other purposes, including addressing maintenance backlogs.

Question 11: Could you provide a few additional examples, beyond those in your written testimony, that demonstrate how acquiring inholdings reduces maintenance costs?

Response: Examples of enhanced management resulting from land acquisition:

St. Vincent National Wildlife Refuge (NWR)

St. Vincent NWR is an island off the panhandle coast of Florida in Apalachicola Bay, off the Gulf of Mexico. Acquisition of the 5-acre tract on the mainland of Apalachicola Bay provides permanent deep water mooring with launch site, secure parking and equipment storage. Daily boat access for St. Vincent NWR staff is required 24/7 for all island management activities, such as sea turtle nest monitoring and protection, habitat management, prescribed burning, hunting and fishing management and protection, and response to visitor emergencies. As the refuge is only accessible by water, the site reduces staff travel time from the refuge office to transfer supplies and heavy equipment. The acquisition of the site also eliminates the annual \$12,000 lease payment for the prior site and provides significant savings in fuel for vehicles.

Prior to the acquisition of the deep water mooring and launch site, the FWS conducted a critical review and analysis of deep water mooring and access options in the general vicinity of the refuge. Only two or three options were possible, with the acquisition of the acquired site being the most cost effective and safest for staff. The other sites involved longer nautical travel distances at nine miles, were more costly as public boat launch sites, and did not offer the security needed for refuge equipment.

San Joaquin NWR, CA

In 2006, the FWS acquired a 371-acre tract at San Joaquin NWR, including riparian water rights. Along with other acreage acquired within the Refuge, 2,700

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acres have been restored to riparian woodland habitat. After three years, irrigations for the riparian restoration ceased. The land acquired was cropland that used approximately 24,000 acre-feet of water every year. With the land restored to riparian woodland habitat, the 24,000 acre-feet of water is not used for irrigation on the Refuge; the water stays in the San Joaquin River and benefits in-stream flow, aquatic species, and downstream users. The use of riparian water rights via lift pump on the Stanislaus River has saved the refuge approximately \$140,000 in the past seven years (\$20,000 annually). Previously, water was acquired by paying for expensive pumped well water. With the riparian forest rehabilitation within the Refuge, the riparian brush rabbit population has returned from the brink of extinction due to habitat loss and degradation.

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Questions from Senator Jeff Flake

Question 12: Part of the cost of acquiring new Federal land should be mitigating the loss of a vibrant tax base for local governments. In FY2002, PILT payments were made from the LWCF and in the Department of Interior Budget hearing in this committee two months ago Secretary Jewell suggested that a portion of the funding stream currently dedicated to LWCF could be dedicated to PILT. Would you elaborate on the Secretary's suggestion that LWCF funding streams could be used to meet PILT obligations?

Response: The Administration has requested reauthorization of and funding for PILT consistently, including in the FY16 budget. The 2016 budget proposes to extend PILT permanent funding for one additional year, while a sustainable long-term funding solution is developed for the program. The proposal assumes extension of the PILT payment formula, which is based on a number of factors, including the amount of Federal land within an eligible unit of local government, its population, and certain other Federal payments the local government may receive. The cost of a one-year extension is estimated to be \$452 million in 2016.

The Administration would support a package that reauthorizes both LWCF and PILT, but does not support paying for PILT out of LWCF. Providing PILT payments in this manner would not be consistent with the intent of LWCF: balancing the permanent depletion of one federal resource with the permanent protection of lands and waters, another non-renewable resource.

Question 13: In your written testimony you express the amount of inholdings that were purchased by the DOI over the past five years as a percentage of the total amount of land purchased by the DOI during that time. In your response to questions on this subject during the hearing you referred to "edgeholdings." Please define the term "edgeholding" and provide, by state and by agency (BLM, NPS, and FWS), the amount of land acquired over the past 10 years under LCWF authorities which were completely surrounded by Federal land and which were on the boundaries of Federal land. Please compare these amounts to those LWCF acquisitions by the Forest Service over the same time period.

Response: In the past five years, 99.25% of the lands acquired by the Department of the Interior were inholdings of existing conservation units. The acquisition of inholdings can reduce maintenance and manpower costs by reducing boundary conflicts, simplifying resource management activities, and easing access to and through public lands. This focus maximizes management efficiencies for the agencies and, in many cases, reduces costs.

Since 2011, Congress has appropriated funding for four projects where acquisitions did not lie completely within the boundary of an existing conservation unit at the time of the appropriation, but were adjacent to or bisected by the boundary ("edgeholdings"). In all instances, acquisitions using LWCF

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funding were authorized by the Land and Water Conservation Fund Act, and include the following:

1. In FY2011, Congress appropriated \$640,000 to NPS to purchase an 18.23 acre tract on the boundary of Catoctin Mountain Park in Maryland. Upon receipt of the appropriation, NPS completed a minor boundary adjustment. The tract was thereby included within the boundary at the time of purchase.
2. In FY2015, Congress appropriated \$982,000 to BLM to acquire approximately 1,900 acres adjacent to San Sebastian Marsh/San Felipe Creek Area of Critical Environmental Concern (ACEC) in California. The acquisitions funded in FY2015 help reduce the ownership checkerboard and support improved land management of this sensitive landscape and recreational access. San Sebastian Marsh is open to hiking and is a popular area for nature study.
3. In FY2015, Congress appropriated \$1.2 million to BLM to acquire approximately 440 acres at Canyons of the Ancients National Monument in Colorado. Funds were appropriated to protect two properties straddling the boundary that were facing immediate threats from rural residential development, vandalism, and degrading land use practices.
4. In FY2013, Congress appropriated \$4.5 million to BLM to acquire approximately 366 acres at the California Coastal National Monument. The unique oceanfront edgeholding was offered by a highly motivated willing seller, at a time when coastal properties in California face immediate threat from commercial and rural residential development.

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Questions from Senator Rob Portman

Question 14: I am a very strong supporter of LWCF, and as you know I also am strongly committed to addressing the critical unmet maintenance needs in our national parks and other public lands. Clearly, we need LWCF to secure the inholdings and other lands that make our parks the important resources they are for the American people. At the same time and for similar reasons, we absolutely need to address the Park Service maintenance backlog as we head toward the Centennial of the National Parks, which I am working to do.

Regarding LWCF, I have seen the critical importance of strategic acquisitions of key properties and conservation easements in my own state at Cuyahoga Valley National Park, which is among the top most visited urban National Parks in the entire country, where lands secured by the Park Service at the Blossom Music Center, the old Cleveland Cavaliers coliseum site, and elsewhere were essential to maintaining the character of the Park and now provide well-used recreation opportunities. And we are seeing it too at Dayton Aviation Heritage National Historic Park, which already includes some of the most pivotal sites needed to tell the story of the birth of aviation, such as the Wright brothers' famous bike shop, but which has yet to protect other features including the actual Wright Company factory buildings where they built the world's first airplanes.

These places are important to our communities not only for their recreational, scenic, and historic value, but also for their economic value as well. With 2.2 million visitors each year, Cuyahoga Valley is a major component of Ohio's recreation economy, which the Outdoor Industry Association affirms is responsible for \$17.4 billion in consumer spending in my state and supports 196K direct Ohio jobs. Similarly, Dayton Aviation does more than fire up the imagination of visitors from around the world — it also is bringing tourist dollars to Dayton and serving as the focal point for an Aviation and Aerospace Innovation District, with deep local government and nonprofit engagement, that could play a vital role in the city's future. The beautiful landscape at Cuyahoga and the irreplaceable factory buildings at Dayton are the infrastructure for these economic engines, and investments through LWCF have been and will continue to be crucial to that infrastructure.

Meanwhile, these and other parks face another infrastructure crisis, with roads and facilities in desperate need of repair and rehab. It's really two sides of the coin: to do right by visitors to our parks and the communities that depend on them, we need to fix what's broken in our parks and secure the inholdings that are essential to the natural or historic reasons people visit in the first place.

Mr. Connor, can you comment on the connection between maintenance and acquisition needs in the Parks, and how your Department plans to address both, as I believe we must?

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Response: We agree we must do both: address the most urgent needs for recreation, species and habitat conservation, and the preservation of landscapes and historic and cultural resources while we address the deferred maintenance backlog.

The LWCF protects, with land acquisition, conservation and recreation resources for the benefit of the American public – from national parks, forests, and wildlife refuges to local playgrounds and historic areas. But the LWCF is not a substitute for adequate annual appropriations to support the operations of the federal land management agencies, including their operations and maintenance requirements. The FY 2016 budget request includes a significant commitment to address the deferred maintenance backlog and requests additional cyclic maintenance to keep the repaired assets in good condition.

Question 15: Can you please describe for me the Bureau of Land Management's role in permitting conventional and unconventional oil and natural gas production in Ohio's, Wayne National Forest prior to issuance of the agency's new fracking rule. How will BLM's role change now that the fracking rule is final?

Response: The BLM manages only the federal mineral estate on the Wayne National Forest. The overall ownership of mineral estate on the Wayne National Forest is highly complex. More than half of the mineral estate on the Wayne National Forest is privately owned, which means the oil and gas regulations of the State of Ohio apply to those minerals and the BLM has no role in the permitting and regulation of those wells. The new hydraulic fracturing rule would not apply to private mineral estate.

As for the remaining mineral estate, that which is federally-managed, federal rules and regulations currently, and would continue to, apply. These federal rules and regulations would include the new hydraulic fracturing rule after the effective date.

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Questions from Senator John Barrasso

Question 16: Mr. Connor, Secretary Jewell often talks about the importance of taking a landscape-scale approach to ecosystem health and watersheds. In your testimony you also talked about the importance of being able to acquire private inholdings within exterior federal land boundaries.

Do you believe the over 18 million acres of state parks and forests, recreation sites, and natural areas should be treated as an integral part of the overall landscape? Should states have the resources to address the needs of their parks and forests and to acquire private inholdings from willing sellers within the exterior boundaries of state parks and forests?

Response: State parks and forests, recreation sites, and natural areas should be treated as an integral part of the overall landscape; but we cannot comment on how the States spend their resources. Through the LWCF, the Administration provides States with funding for parks and recreation facilities through grants that require a fifty percent match. In order to apply for the grants, the State must have a statewide recreation plan and must maintain the assisted area or facility.

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Question from Senator Al Franken

Question 17: Conservation investments play an important role in improving public access to federal lands for recreational purposes, such as hunting and fishing. But conservation is also essential for maintaining the natural system, and for helping to mitigate the impacts of climate change. For example, the Northwoods of Minnesota help to reduce the impacts of climate change by capturing and storing a significant amount of carbon, while protecting the water quality of some of our nation's greatest rivers and lakes. When choosing which land acquisition projects to prioritize for conservation, do the four land management agencies consider the potential for carbon capture and climate change mitigation?

Response: The Administration has identified land conservation as an important tool for climate change mitigation, and using land conservation to increase carbon storage is part of the President's Climate Action Plan, which notes that "conservation and sustainable management can help to ensure our forests continue to remove carbon from the atmosphere while also improving soil and water quality, reducing wildfire risk, and otherwise managing forests to be more resilient in the face of climate change."

Developing a greater understanding of climate change vulnerability and biological carbon sequestration is of increasing importance for Interior agencies. In the FY16 President's Budget Request, FWS requested an increase of \$500,000 to support the development of decision support tools for land managers and other users: "The Service recognizes the importance of considering carbon sequestration values in the protection and management of its lands, and is continually looking for data and tools to assist its land acquisition, management, and restoration practices. The US Geological Survey Biologic Carbon Sequestration Assessment (LandCarbon Project) has identified lands with high carbon sequestration capacity and the potential for future climate change, wildfire, land use change, and land management activities to modify that capacity. Using LandCarbon data products and maps, the Service will develop and test tools and guidelines that can be used to identify the lands with the greatest current or potential carbon stocks and/or sequestration values for projects supporting: (1) restoration and acquisition activities in the National Wildlife Refuge System, such as the Neal Smith National Wildlife Refuge and other lands in Iowa, and (2) ecological restorations associated with Natural Resource Damage Assessment settlements and with restoration work conducted through Habitat Conservation programs. These tools and guidelines will help the Service choose the highest-priority lands for conservation or restoration by including biological carbon sequestration in the suite of factors used for conservation priority-setting."

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Questions from Senator Mazie Hirono

Question 18: Fate of Landscape Proposals

The FY 2016 President's Budget request includes a substantial amount of LWCF funding for the Island Forests at Risk Collaborative Landscape Proposal. Portions of this landscape proposal, which seeks to purchase lands in Hawaii, are the number one priority in both the National Park Service's and US Fish and Wildlife Service's land acquisition budgets. These agencies have identified acquisition needs at Hawaii Volcanoes National Park and Hakalau Forest National Wildlife Refuge totaling 45,760 acres and \$38 million.

If LWCF were fully funded at \$900 million these projects could be completed. Based on historic funding levels, however, it is likely that Congress will appropriate much less, leaving a considerable number of unfunded federal needs in my state and across the country. Can you speak on the importance of having a dedicated and fully funded Land and Water Conservation Fund to address these needs now and in the future?

Response: Over its 50-year history, the LWCF has protected conservation and recreation lands in every State and supported tens of thousands of State and local projects. The authority for LWCF expires on September 30, 2015, at which time revenues will cease to be deposited in the LWCF unless Congress reauthorizes the program.

The President's FY2016 budget includes a request to permanently authorize annual funding from the LWCF, without further appropriation or fiscal year limitation. This proposal, if enacted, would provide \$900 million annually in permanent funds starting in 2017, and would ensure that agencies and partners will be able to engage in multi-year planning required for large-scale conservation and effective collaboration with local communities, such as the projects you note in Hawaii. Enactment of the Administration's FY2016 LWCF request would support broad collaboration around locally driven priorities and provide more efficient and coordinated ways of investing in, restoring, and managing the country's natural and cultural resources.

Question 19: National Park Service Funding

It is my understanding that out of the government's entire budget, the National Park Service has recently received roughly one-fifteenth of one percent of that budget. That is 0.0007% of the entire federal budget to pay 22,000 individuals to protect and maintain 84 million acres and provide a pleasant experience for almost 300 million visitors each year.

Given the small budget that the Park Service has to work with, they have an estimated maintenance backlog of around \$11.5 billion. Can you comment on how much land acquisitions funded by the LWCF have contributed to this maintenance backlog? What

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would the maintenance backlog look like if Congress were to adequately fund the National Park Service and address critical transportation legislation?

Response: The United States has a significant investment in federal lands within National Park System boundaries that has accrued over time. These lands need to continue to be protected and preserved in order to maintain the current investment. Acquiring inholdings from willing sellers helps maintain the integrity of the lands where there is already a federal investment and protects them from harms that would result from incompatible uses on adjacent lands.

The majority of land acquired within NPS boundaries is unimproved, with no improvements planned. In those cases, no increase in the maintenance backlog is associated with the acquisition. In some instances, land acquisition will require future maintenance for portions of trails to increase public access, for upkeep of historic structures, or for eradication of invasive species. These instances are relatively rare. In the FY2016 NPS request, only 11 of the 40 line-item land acquisition requests anticipate outyear costs for operations and maintenance of the lands, while 9 project savings and 20 are neutral.

Question 20: State Involvement

One of the arguments used in support of reforming the LWCF is that state agencies and local stakeholders are best at identifying what local constituents want and need for outdoor recreation and that more LWCF funds should be allocated to the Stateside Grant Program.

Can you speak a little bit on the number and variety of partners involved in planning and development of LWCF proposals? Are there instances when state agencies have not played a significant role in working with the federal agencies to identify and prioritize projects?

Response: Over its 50-year history, the LWCF has protected conservation and recreation lands in every State and supported tens of thousands of State and local projects. The President's FY2016 budget includes funding for Collaborative Landscape Projects, which are developed cooperatively with local communities to address specific conservation priorities identified through a collaborative process conducted by land management agencies. The Administration's FY2016 LWCF request would support broad collaboration around locally driven priorities and provide more efficient and coordinated ways of investing in, restoring, and managing the country's natural and cultural resources.

The Administration's Budget has consistently proposed -- and Congress has consistently provided -- a balance among federal and state conservation under LWCF. Over the last 10 years, state grants have averaged well over 40% of total

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LWCF appropriations, and the President's FY2016 discretionary budget maintains that exact same balance.

The projects funded through those various state grant programs all have been requested by the states, on their own behalf or on behalf of localities. LWCF Stateside assistance is community- and state-driven, and so are DOI's Cooperative Endangered Species grants and USDA's Forest Legacy Program.

**Federal LWCF
Bureau Details**
(\$000's)

State	2006		2007		2008		2009		2010		2011		2012		2013		2014		2015	
	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted
Bureau of Land Management																				
BUREAU ACQUISITION TOTAL																				
Avg. Mgr. Land Exchange Processing		8,622		8,624		8,939		14,775		29,690		21,956		32,344		21,175		19,463		19,746
Emergency Acquisitions		2,269		1,569		1,673		1,859		2,830		1,873		1,877		1,829		1,898		1,994
Systemic/Recreational Access		983		1,000		1,477		1,500		3,600		1,497		1,496		1,278		1,616		1,616
Line-Item Projects		5,371		6,065		5,789		11,425		24,650		18,584		18,969		16,126		15,945		2,000
Outstanding Collections																				1,276
Line-Item Projects																				
State	2622	5,321	3,367	6,095	5,259	5,259	11,425		24,650		18,584		18,969		16,126		15,945		13,226	
Ironwood Forest NM																				
Big Morongo Canyon Area of Critical Environmental Concern																				
California Wilderness																				
California Coastal NM																				
Carson Plain NM																				
Coachella Ridge-Toed Lizard ACEC																				
Johnson Canyon ACEC																				
King Range NCA																				
Lacks Creek ACEC																				
Pacific Crest National Scenic Trail																				
San Felipe/San Sebastian Marsh ACEC																				
Santa Rosa & San Jacinto National Monument																				
Trinity National Wild and Scenic River																				
Upper Sacramento River ACEC																				
Arkansas River SRMA																				
Canyons of the Ancients NM																				
Denninguez-Escalante NCA																				
Garrison Gorge NCA																				
Nez Perce National Historic Trail/Henry Lake ACEC																				
Snake River Rim Reclamation Area/Oregon National Historic Trail																				
Idaho	925	1,478	400	1,500	530	1,231	500		3,502	4,500	2980	2,400	3,045	5,900	4,620	5,572	3,680	2,600	380	1,000
Blackfoot River SRMA																				
Chaco-GLBLs RMA/Levin and Clark NHT																				
Lawley and Clark NHT/Nez Perce NHT/Upper Missouri National Wild and Scenic River																				
Meeteetse Spores ACEC																				
El Malpais National Conservation Area																				
La Cienega ACEC / El Camino Real De Tierra Adentro NHT																				
Lower Prairie Chicken Habitat ACEC																				
Chaco-Sitka/John National Monument																				
NM																				
OK																				

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**Federal LWCF
Bureau Details**
(\$000's)

	State	2006		2007		2008		2009		2010		2011		2012		2012 Reprogram/ Revised Funding		2013		2014		2015	
		Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Enacted	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted
Crooked NWSR	OR																						
Grande Ronde National Wild and Scenic River	OR																						
John Day National Wild and Scenic River	OR																					365	600
Oregon National Wild and Scenic Rivers/North Fork	OR	662	641																				
Owyhee NWSR	OR																						
Pacific Crest National Scenic Trail	OR																					271	542
Sandy River/Oregon National Historic Trail	OR	535	1,577					135 ¹	1,350	48	2,100	245	1,500									100	1,000
Grand Staircase-Escalante NM	UT												700										
Red Cliffs NCA	UT																	4,000					
Craig Thomas Little Mountain SMA	WY									2,000													
Colorado River SMRA	UT	500	1,182	250	500																		
North Platte River SRMA	WY			283	700							377	2,700									148	1,200

¹: Indicates that this is a cost per acre calculation. The enacted budget was either more, or less, than requested in the President's budget. Cost per acre was determined by the numbers reported in the President's budget, then extrapolated to the enacted amount.
UN: Indicates that this funding was not specifically requested in the President's budget, so enacted acres cannot be determined.

**Federal LWCF
Bureau Details**
(\$900's)

		2006		2007		2008		2009		2010		2011		2012		2013		2014		2015			
														Reprogram/ Revised									
	State	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Enacted	Enacted	Acres	Funding	Acres	Enacted	Acres	Enacted	Acres	Enacted		
Fish and Wildlife Service																							
FWS LWCF ACQUISITION TOTAL			27,990		28,046		34,596		42,455		86,340		54,890		54,632		54,632		51,775		54,422		47,536
Land Acquisition Management			10,063		9,933		9,490		9,640		12,555		12,530		12,535		12,535		12,865		10,500		12,613
Inholdings, Emergencies and Hardships			2,956		2,978		2,953		3,000		5,000		4,990		4,492		4,492		4,257		7,351		5,351
Exchanges			1,478		1,485		1,477		1,500		2,000		1,996		2,496		2,496		2,365		1,500		1,500
Line-Item Projects*			14,971		13,650		20,676		29,315		66,785		35,374		35,109		35,109		32,288		35,071		28,071
Sportsmen/Recreational Access																							
Delayed Project Savings			-1,478						-1,000														
Line-Item Projects			14,971		13,650		20,676		29,315		66,785		35,374		35,109		35,109		32,288		35,071		28,071
Alaska Maritime NWR		AK	355	394				1,145	400	1,100	300		399	151	99								
Togiak NWR		AK	N/A	295						862	325												
Yukon Delta NWR		AK				480	394			2,173	365		499										
Yukon Flats NWR		AK			N/A**	495																	
Bon Secour NWR		AL								40	500												
Cahaba River NWR		AL	110	415																			
Cache River NWR		AR	493	797		370	495								4,243	1,657	4,143						
Leslie Canyon NWR		AZ				2,040	300			3,335	500											523	
Grasslands WMA		CA								473	1,000		564	1,369		473	1,000		247	1,000		1,071	
San Diego NWR		CA											20	385								100	
San Joaquin River NWR		CA	65	443				132	900	2,213	2,000		166	2,000	3,994	360	2,994		167	1,000		5,000	
Stewart McKinney National Wildlife Refuge		CT				20	699			N/A****	2,000												
Silvio O. Conte NWR		CT	20	640		202	1,969	1,600	3,815	665	2,500		865	2,308	6,490	812	6,490		1,041	1,500		779	
		MA																				2,000	
Highlands Conservation		NH VT																					
		CT, NJ			N/A*	1,980	N/A*	1,723	N/A*	1,500	N/A*	4,000		4,992	N/A*	4,992	N/A***	123			N/A*	3,000	
		NY, PA																					
Prime Hook NWR		DE	16	246						108	1,000												
Crystal River NWR		FL						57	1,500	N/A	1,500												
Everglades Headwaters NWR/CA		FL													375	1,500		750	3,000	1,250	5,000	600	
Lower Suwannee NWR		FL												998	667	998						3,000	
National Key Deer NWR		FL																					
St. Marks NWR		FL			890	1,300		51	1,028														
St. Vincent NWR		FL																					
Round Swamp NWR		GA								304	1,200							5	1,000				
Savannah NWR		GA													1,248	100	1,248						
Longleaf Pine Okefenokee NWR		GA/FL																					
James Campbell NWR		HI					147	3,938	230	7,000	222	7,400						3,708	3,000	3,900	9,481		
Driftless Area NWR		IA					112	320	66	250	119	450											
Upper Mississippi River NW&FR		IA,MN							45	500	160	1,200	100	400	2,746	563	2,246	335	1,000				
		WI																					
Northern Tallgrass Prairie NWR		IA/MN	386	493	192	406	224	404	250	500	500	500											
Red Rock Lakes NWR		ID/MT									616	1,000	335	1,500									
Cypress Creek NWR		IL									160	500											
Paukwa River NWR		IN						385	500	1,151	1,150												
Flint Hills Legacy Conservation Area		KS											2,158	1,000				3,333	1,000				
Clarks River NWR		KY	33	197			307	492	669	750	669	750											
Red River NWR		LA					492	492			666	1,000											
Tensas River NWR		LA	2,127	1,872	1,520	1,248																	
Upper Ouachita NWR		LA								200	500	1,200	3,000										
Blackwater NWR		MD					125	394	1,000	1,000	2,000	909	1,500										

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**Federal LWC
Bureau Details**
(\$000's)

	2006	2007	2008	2009	2010	2011	2012	2012	2013	2014	2015
	Enacted	Enacted	Enacted	Enacted	Enacted	Enacted	Enacted	Reprogram/ Revised Funding	Enacted	Enacted	Enacted
State	Enacted	Enacted	Enacted	Enacted	Enacted	Enacted	Enacted	Enacted	Enacted	Enacted	Enacted
Maine Coastal Islands NWR	ME				71 1,000						
Rachel Carson NWR	ME	37 591			93 3,000						
Biz Muddy NF&WR	MO				75 300						
Panther Swamp NWR	MS				256 500						
Blackfoot Valley CA	MT										
Rocky Mountain Front CA	MT	2,676 985	6,500 1,980		2,220 1,000	8,157 3,750	11,777 5,300	3,333 1,500	7,500 4,825	8,750 4,680	5,277 2,000
Bear River Watershed Conservation Area (ID/UT/WY)	Multi										
Alligator River NWR	NC										
North Dakota WMA	ND				5,714 1,000	5,714 1,000					
Dakota Grassland CA	ND,SD	2,465 493	1,666 320	1,250 500	2,220 1,000	2,222 1,000		4,160 1,000	10,333 2,500	23,053 8,650	15,555 7,000
Dakota Tallgrass Prairie NWR	NE			160 500	160 500				1,020 500		6,122 3,000
Rainwater Basin Wetlands Management District	NH	789 493		641 1,000	641 1,000	2,240 2,240					
Umbagog NWR	NJ		7 492		56 2,000						
Cape May NWR	NJ	96 296		28 1,100		10 250					
Edwin B. Forsythe NWR	NJ		230 1,181	146 750	194 1,000						
Great Swamp NWR	NJ			24 1,500							
Supawana Meadows NWR	NJ				250 1,400						
Wallkill NWR	NM				20 500						
Sevillea NWR	NM										
Valley de Oro NWR (vice Middle Rio Grande NWR)	NM							570 1,258	100 1,500		
Nestucca Bay NWR	OR				120 1,000						
Upper Klamath	OR	878 1,971	1,362 3,475								
Cherry Valley NWR	PA				127 750						
John H. Chafee NWR	RI			10 700	13 900						
Rhode Island Refuge Complex	RI	13 517	74 492								
Ernest F. Hollins ACE Basin NWR	SC				122 500		749 193 249				
Waccamaw NWR	SC				257 600	434 1,250	998 500 998				
Chickasaw NWR	TN	161 493	142 271		239 500	187 500					
Balcones Canyonlands NWR	TX	2,201 394			340 1,000						
Laguna Atascosa NWR	TX	788 788	422 492	143 500	447 500	1,198 0	2,561 1,167 1,996				
Lower Rio Grande Valley NWR	TX				410 1,000	841 1,500			640 1,000		
Neches River NWR	TX					2,150					
San Bernard NWR-Austin's Woods Unit	TX				500 1,250	1,001 2,172					
Trinity River NWR	TX										
Bear River MBR	UT				434 1,300	533 1,600					
Back Bay NWR	VA			90 497	27 545						
Eastern Shore of Virginia NWR	VA	152 1,971	26 1,971	22 1,575							
Great Dismal Swamp NWR	VA			63 1,575	18 500						
James River NWR	VA				125 1,000						
Rappahannock River NWR	VA			165 453	180 1,500	200 1,000					
Nisqually NWR	WA				150 500				208 1,000		148 2,000
Turnbull NWR	WA				36 500						
Willapa NWR	WA				900 1,500						
Cumana Valley NWR	WV	70 187		545 1,477	830 2,250	350 950					
Ohio River Islands NWR	WV			15 500							

*Highlands Conservation is a matching grant program and acreage is not projected in advance.

**Yukon Flats NWR \$495,000 appropriated for EIS.

***Grant administrative expenses for Highlands Conservation.

****SB McKinney funds reprogrammed to Umbagog NWR in FY 2012. Tract was acquired with Atlantic Coast Joint Venture Grant funds; no other tracts were available. At Umbagog NWR, 1,950 acres were acquired with the reprogrammed funds.

**Federal LWCF
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(\$000's)**

	2006		2007		2008		2009		2010		2011		2012		2013		2014		2015			
	State	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Enacted	Enacted	Acres	Reprogram/ Revised Funding	Acres	Enacted	Acres	Enacted	Acres	Enacted	
National Park Service																						
NPS LWCF ACQUISITION TOTAL		34,395		34,402		44,367		45,190		86,266		54,890	56,969	56,969		53,989		50,010		50,843		
Acquisition Administration		9,605		9,786		9,352		9,250		9,500		7,134	9,485	9,485		8,989		9,500		9,526		
Emergency/Hardships		2,463		2,541		2,461		2,500		3,000		1,007	2,995	2,995		2,838		3,093		3,928		
Inholdings/Exchanges		2,463		2,540		2,461		2,500		5,000		5,000	4,992	4,992		4,731		6,364		4,928		
American Battlefield Grants												8,982	8,986	8,986		8,516		8,986		8,986		
Line-Item Projects		29,633		19,535		30,093		33,440		68,766		32,767	30,511		30,511		28,915		22,067		23,475	
Recreational Access																						
Cancellation of Prior-Year Balances		-9,769						-2,500														
Line-Item Projects		29,633		19,535		30,094		33,440		68,766		32,767	30,511	30,511		28,915		22,067		23,475		
Alaska Region	AK																					
Wrangell-St. Elias National Park and Preserve	AK	378	739																			
Little River Canyon National Preserve	AL									80	1,500											
Fort Smith National Historic Site	AR, OK									3	362											
Petrified Forest National Park	AZ			Pre-Acq	135					28,308	4,575	24,000	5,100			26,495	5,000					
Golden Gate National Recreation Area	CA	15	517			356	1,969	1,000	4,000	1,500	5,000	1,000	4,100									
Mojave, Joshua Tree NP, Death Valley NP	CA									Pre-Acq	1,000	584	867					2,800	2,278	2,063	2,011	
Pinnacles National Monument	CA	1,001	2,956																			
Redwood NP	CA																					
Santa Monica Mountains NRA	CA									115	1,000	66	880			193	1,977			158	6,250	
Whiskeytown NRA	CA							1	460													
Mesa Verde NP	CO					325	1,575															
Big Cypress National Preserve	FL												5,551	43,000	5,551							
Everglades National Park	FL											24,960	477	24,960								
Timucuan Ecological and Historic Preserve	FL																	262	2,031			
Chatahoochee River National Recreation Area	GA					31	1,969			21	3,100											
Ala Kahakai National Trail	HI																			59	2,000	
Halakala National Park	HI	3,937	3,645																			
Minidoka National Historic Site	ID							128	350	17	350											
Indiana Dunes National Lakeshore	IN					150	1,477															
Cumberland Gap NHP	KY			950	900	910	1,870	1,268	1,150	904	1,150											
Cape Cod National Seashore	MA			33	2,000	24	1,969	10	1,750													
New England National Scenic Trail	MA																			8	247	
Catoctin Mountain Park	MD											18	640									
Piscataway Park	MD	73	690																			
Acadia NP	ME			90	900	51	591	27	750			23	1,700									
North Country National Scenic Trail	MI																					
Sleeping Bear Dunes National Lakeshore	MI	59	5,222			1	345	60	500	100	1,000						37	5,269	143	519		
Voyageurs NP	MN											3	315									
Harry S Truman National Historic Site	MO									1	1,300											
Wilson's Creek National Battlefield	MO	210	1,182			41	443												79	900		
Gulf Islands NS - Cat Island*	MS					0	1,969															
Natchez National Historical Park	MS									1	264											
Glacier NP	MT															114	1,200	2	1,030			
Civil War Battlefield Sites (Grants)	Multi	0	2,956	0	4,000	0	2,953	0	4,000	0	9,000											

**Federal LWCF
Bureau Details**
(\$000's)

		2006		2007		2008		2009		2010		2011	2012	2012	2013	2014		2015		
	State	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Enacted	Enacted	Acres	Reprogram/ Revised Funding	Acres	Enacted	Acres	Enacted	
Civil War Sesquicentennial Units	Multi															200	5,000			
National Rivers and Trail	Multi															Pre-Acq and 37	4,000	826	5,500	
Guilford Courthouse National Military Park	NC							4	828	4	880									
Appalachian National Scenic Trail	NH							389	1,375	4,777	1,375							173	2,251	
Delaware Water Gap NRA	NJ							95	1,000											
El Malpais National Monument	NM							320	150									47	1,205	
Pecos NHP	NM																			
Petroglyph National Monument	NM									2	1,000									
Home of Franklin D. Roosevelt NHS	NY											2	1,250							
Cuyahoga Valley NP	OH			2	300					233	4,000	330	5,400							
Lewis and Clark National Historical Park	OR	160	1,576																	
Appalachian National Scenic Trail	PA									1,050	1,820									
Flight 93 National Memorial	PA			1,656	5,000	1,656	4,922													
Gettysburg National Military Park	PA							80	2,215									96	376	
Congaree National Park	SC							837	2,690	410	1,320	436	1,400				355	1,428		
Wind Cave NP	SD											5,555	8,315							
Chickamauga-Chatanooga NMP	TN	145	1,774	148	1,000	148	1,792													
Great Smokey Mountains NP	TN			Pre-Acq	250															
Shiloh NMP	TN									Pre-Acq	250									
Big Thicket National Preserve	TX	1,000	1,971	609	2,000	634	1,231	513	1,000	2,803	5,000									
Fort Davis NHS	TX									41	500									
Palo Alto Battlefield National Historic Site	TX									1,354	4,120									
San Antonio Missions NHP	TX																40	1,760		
Blue Ridge Parkway	NC, VA									163	1,250									
Captain John Smith NHT	VA																	173	4,000	
Shenandoah Valley Battlefield National Historic District (Grants)	VA	0	985			0	984	0	1,985											
Fredericksburg & Spotsylvania County Battlefields NMP	VA									9	200	23	500							
Prince William Forest Park	VA									8	425							80	1,519	
Virgin Islands National Park	VI							50	2,250	93	3,250	55	2,300			74	2,738	3	2,771	
Appalachian National Scenic Trail	VT									996	625							81	533	
Ebey's Landing NHR	WA					38	492													
Gateway	WA						1,181													
Lake Chelan NRA	WA							9	900											
Lewis and Clark National Historical Park	WA			267	2,500															
Mount Rainier National Park	WA					276		168	1,807	164	2,150					226	1,000			
Olympic National Park	WA									2	3,000									
San Juan Island National Historical Park	WA									312	6,000									
Ice Age NST*	WI	0	985			0	1,378	0	1,000	0	2,000							110	1,664	
Gauley River NRA	WV	88	493	89	550	338	492	30	780											
Harper's Ferry NHD	WV	71	1,971					8	2,000											
New River Gorge National River	WV	761	1,971			440	492	442	500											
Grand Teton NP	WY															86	8,000			
*In fiscal years 2006 through 2010, funding for Ice Age NST was appropriated for grants. In fiscal year 2008, funding for Gulf Island NS - Cat Island was appropriated for grants.																				
Consolidated Appraisal Services		7,406		7,398		[7,670]		[8,012]		12,136		12,112	12,692		12,692	12,770		12,168		12,000

**Federal LWCF
Bureau Details
(\$000's)**

State	2006		2007		2008		2009		2010		2011		2012		2012		2013		2014		2015	
	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted	Acres	Enacted
	78,413	78,489																				
Total, DOI Federal Land Acquisition																						

**U.S. Senate Committee on Energy and Natural Resources
April 22, 2015 Hearing: The Land and Water Conservation Fund
Questions for the Record Submitted to Mr. Lewis Ledford**

Questions from Chairman Lisa Murkowski

Question 1: *What are the benefits or advantages of giving LWCF funds to states compared to the federal government?*

For the state and local governments, this matching grant program is the only specific federal grant program for outdoor recreation. I emphasize **matching** grant program. As a minimum, every dollar to the State Assistance Program has been matched at least on a 1:1 basis. Many project have been overmatched.

State and local officials are best suited to determine the needs for their respective communities. States select high priority state and local projects using criteria from their Statewide Comprehensive Outdoor Recreation Plans, or SCORPs, as required in the LWCF Act. The SCORP's are one of the many ways to assure that local stakeholders, including the public, help shape the recreation landscape within the state assistance program of the LWCF. Statewide plans along with the states' ability to access local decision makers like Governors, County Commissioners, City Managers and local park and recreation professionals, and most importantly the users (soccer moms, skate boarders and friends groups) are crucial to ensuring that the needs of each state and local community are met.

In 1965 the US population was 194 million. The US Census agency projects the population to reach 321 million this year. State and local outdoor recreation opportunities must grow to keep pace with a growing population and shifting demographics. It is a benefit we respectfully request that Congress provide. It truly must begin now, if we are to provide this important benefit in the future.

Question 2: *How often and in what ways do state projects involve partnerships to help leverage resources and build community support?*

Virtually all of the state assistance program projects leverage resources and build lasting partnerships. Obviously there is the 1:1 match requirement. But it is typically much more. Here are a few examples recently highlighted in *A Smart Investment for America's Economy, LWCF* by the City Parks Alliance:

1. Sugar House Park, Salt Lake City, UT Set in the Sugar House neighborhood of Salt Lake City, Sugar House Park is a gem that attracts residents from around the city for events, sledding, sports, gardens and an extensive trail network. Multiple LWCF grants have supported a renovation of the park and trail connections to nearby Sugar House Business District, Parley's Rail to Trail and the Jordan River Trail. These new connections have increased biking and pedestrian access to the business district and contributed to over \$200 million in new housing, retail and commercial development. *Source: Salt Lake City, Parks and Public Lands, data provided by staff, November, 2014.*

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2. Reedy River Falls Park and Liberty Bridge, Greenville, SC In 2004, Greenville transformed its downtown by restoring Reedy River Falls Park, originally protected by LWCF, and building Liberty Bridge. The pedestrian bridge is the capstone of a park that has inspired a wave of prosperity throughout the West End, including construction of a minor league baseball park. “Greenville never had an iconic image; the bridge and waterfalls became that. We spent \$13 million on the park and within two years had about \$100 million in private investment. LWCF’s initial investment led to permanent protection of the site and the support that has since flowed into the park and surrounding area.” — Greenville Mayor Knox White Source: Connor, E, *Liberty Bridge: Half Century in the Making*, *Greenville News*, Oct. 2014.
3. Confluence Park on the South Platte River, Denver, CO LWCF’s \$1.2 million in grants for the South Platte River in Denver galvanized over \$2.5 billion in local public and private funding, an investment that has revitalized Denver’s downtown and continues to drive economic development and job creation. Leveraging two thousand dollars in local public and private funding for every federal dollar spent is a smart national investment. Source: Harnik, P., *From Fitness Zones to the Medical Mile: How Urban Park Systems Can Best Promote Health and Wellness*, *Trust for Public Land*, 2011, 32.
4. Indian Bend Wash, Scottsdale, AZ Eight LWCF grants over the past 40 years have enabled the creation of the Indian Bend Wash, an oasis of parks, lakes, paths and golf courses traversing 11 miles through the heart of Scottsdale. Developed initially as an alternative to cement culverts, the greenbelt has successfully protected the city, including a 65 square mile drainage area, from flood damage during many record-setting rainfalls. This world-renown flood control project is rated among the top urban green spaces in Arizona. Source: *A Smart Investment for America’s Economy – The Land and Water Conservation Fund*, City Parks Alliance, 2015
5. Philadelphia, PA Philadelphia’s 10,334 acre park system, developed in part with \$12 million in LWCF funds, is saving the city \$6 million PER YEAR in stormwater management costs.(1) As part of its Green City, Clean Waters initiative, over the next 25 years Philadelphia will be investing \$2 billion in parks and green infrastructure to capture 85% of the city’s stormwater, saving the city \$16 billion that would otherwise be spent on underground pipes and tunnels. (2) LWCF grants can match these water utility investments to ensure that stormwater management investments are simultaneously creating outdoor recreation opportunities. Sources: 1. Harnik, P., *Measuring the Economic Value of a City Park System*, *Trust for Public Land*, 2009, 12., 2. Featherstone et al. *Creating a Sustainable City: Philadelphia’s Green City Clean Waters Program*, 47th ISOCARP Congress, 2011, 1, 10.

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Question 3: *In your view, why should Congress amend the LWCF Act to include a specific stateside allocation?*

State agencies are strategically positioned to ensure good planning, budgeting and accountability for LWCF state assistance projects because we are immersed within our states and local communities. In general, state governments are in tune with the pulse and feelings of the population and must assume leadership roles in outdoor recreation. Restoring the state share consistent with the original intent of the legislation would mean of course millions more spent on close to home recreation on the priority projects determined by state agencies, in a transparent process, who know best what local constituents want and need in terms of outdoor recreation. It is estimated that dedicating 60% of funds to the state assistance program would more than triple the funds available to **local communities** under the status quo. Ensuring state-controlled planning (SCORP) that includes mandated federal agency participation is critical moving forward. Providing flexibility to State Liaison Officers for LWCF stateside funds to include renovation, restoration & stewardship of lands for outdoor recreation is an important component of the act.

It is important that we clarify exactly what are state grants, consistent with the language and original purposes of the LWCF, and what we define as the “Stateside” component of the LWCF. We prefer to be clear in stating our interest in the LWCF is specifically with the State Assistance Program – formula grants to the States for local conservation and active recreation. The State Assistance Program is one of the original core tenants and priorities of the program from when the LWCF was created in 1964. Further, the original Act designated that the distribution of annual funding for the LWCF be allocated as follows:

SEC. 4. (a) ALLOCATION.—There shall ... (i) the appropriation therein made shall be available in the ratio of 60 per centum for State purposes and 40 per centum for Federal purposes... Source:
www.gpo.gov/fdsys/pkg/STATUTE-78/pdf/STATUTE-78-Pg897.pdf

Question 4: *Mr. Connor claimed that some of the “other programs,” such as Forest Legacy, benefit states and that appropriations from the LWCF have historically been balanced between state and federal purposes. Do you agree? Do the “other programs” serve the same purposes as the State Assistance Program?*

They do not serve the same purposes. The loosely defined “related purposes” or new programs were first considered in 1997. While serving worthwhile goals,

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these additional accounts are NOT what we determine to be “State purposes” as intended under the original Act.

For example, the “related purposes” which the Administration is attempting to include under the “Stateside” umbrella, are NOT subject to the same conditions placed upon the State Assistance Program. These “related” programs:

- Are NOT incorporated, or even considered, under the LWCF mandated “Statewide Comprehensive Outdoor Recreation Plan” (SCORP) which defines priorities and the manner which states intend to utilize their State Assistance funding over what is typically a five-year period. The SCORP is supposed to be used, in tandem with an “open selection process” when making decisions on all state uses of the grant funding.
- Being outside of the SCORP process, these programs are not managed with the direct assistance of the State Outdoor Recreation Liaison Officer – a governor-appointed position required under the State Assistance Program.
- These programs are identified as “voluntary” and “highly competitive” indicating that states cannot depend on receiving funding in a given year for these purposes and that major decisions with regard to where the funding ends up are being made in Washington, DC.
- Projects funded under these “related purposes” are not subject to the same financial threshold of the dollar-for-dollar match that is required of all projects funded through the State Assistance Program.
- Finally, these “related purposes” include programs which are not under the management or responsibility of the Department of the Interior, but which, over time, have utilized over \$650 million in direct LWCF support. I refer you to the chart provided on page 5 of my written testimony.

While we recognize the considerable competing priorities, and acknowledge the worthwhile purposes these programs were created to address, any honest review will confirm that they are NOT the same, in manner or purpose, as the “State purposes” laid out in the original Act. Therefore, claiming, “40% (of existing LWCF support) is going to the stateside,” of the program is misleading, at best.

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Questions from Senator John Barrasso

***Question 1:** Mr. Ledford, you heard my question to Mr. Connor about what is a fair and equitable percentage for the states the Administration would support as part of reauthorization. You also heard his answer. He did not give what he felt was a fair percentage, but did claim states were getting 40%, not 12% as you have stated. What is your response to the Administration's claim?*

We strongly affirm our original statement. By way of illustration, note the comments in the answer provided regarding the Administration's FY2016 Budget request. It includes a total of \$400 million in discretionary funding for the LWCF with the \$50 million (12.5%) allocated to the State Assistance Program continuing the pattern of falling well short of a fair and equitable percentage being made available for state and local outdoor recreation. We note that it would take \$160 million of overall LWCF appropriations to the State Assistance Program to achieve the 40% threshold – the minimum percentage of annual appropriations the law currently requires be made available for federal land acquisition ("Federal purposes" under the original Act).

In the enabling legislation, the "State purposes" designated under the Act was the State Assistance Program. As I explained in the written testimony, through legislative changes and diversions, the State Assistance portion of the fund has been effectively squeezed to the point of being no more than 12% to 13% of total LWCF appropriations since 1998.

As provided in a response to a similar question (#4) from Chairman Murkowski, the loosely defined "related purposes" or new programs were first given consideration in 1997. While they may serve worthwhile goals, these additional accounts are NOT what would readily be determined to be "State purposes" as intended under the original Act.

Funds used for related purposes have gone towards the following:

- BLM: Payment in Lieu of Taxes (PILT), Maintenance
- FS: Forest Legacy, road rehabilitation and maintenance, State and Private Forestry Programs
- FWS: State and Tribal Wildlife Grants, Cooperative Endangered Species Conservation Fund, North American Wetlands Conservation Act Fund, Deferred Maintenance, Landowner Incentive Program, Private Stewardship Grants
- NPS: Urban Park and Recreation Recovery Program (UPARR), Historic Preservation Fund, Elwha Ecosystem Restoration, Deferred Maintenance

Some funds have also gone to USGS and Bureau of Indian Affairs for non-acquisition purposes. The total amount that has gone towards other purposes is

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approximately \$2.1 billion. Funds were appropriated for other purposes in FY1998, FY2000, and every year since.

***Question 2:** Mr. Ledford, you spoke about the importance role LWCF projects play to increase health and wellness and economic prosperity in low income areas. Would you give the committee some state specific examples? What it would mean for individuals in low income communities physically, mentally, and financially if LWCF was returned to the original intent of the law and more state projects were accomplished?*

Coincidentally today as I draft these responses, I met with a personal physician. As we spoke about what constitutes healthy lifestyles for both America's youth and population in general, his unsolicited comment, was that "movement" as a whole is the most important factor in maintaining good health.

It is well established that physical activity helps prevent obesity and related medical problems, and there is mounting evidence that providing close-to-home places to exercise—parks, primarily—can improve health. People who live close to parks that are easy to get to and well-maintained are more likely to use them; conversely, people who live far from parks are apt to use them less.¹

Participating in outdoor recreation, starting at a young age with close-to-home accessible activities, leads to greater participation in a wider variety of outdoor activities throughout life. The most popular of these "gateway" activities are walking, running, bicycling, fishing and hiking, which can all be pursued in local urban parks and trails.²

Half of all Americans get less than the minimum recommended amount of physical activity. Of the half of Americans who participate in outdoor recreation, over 70% say their primary motivation is to get exercise, yet one in ten Americans, from teens to seniors, say they are not active outside because the places to recreate are too far away. Children, in particular, suffer from a lack of access to close-to-home recreation, which has led in part to the highest rates of childhood obesity in the world.³

The United States is the most overweight nation in the world. An obese American racks up nearly \$1,500 more per year in health care costs than an American of normal weight, for a national total of \$147 billion in direct medical expenses.⁴

The vitality of our nation depends on the vitality of our people. LWCF is a smart investment for keeping Americans active, an investment that will save lives, save costs and contribute to creating a strong, secure and healthy America.

The CDC's report, America Walk, brings the importance of walking to center

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stage. This report on walking provides an opportunity for states, communities, and partners to mobilize around the importance of environmental and programmatic supports for walking and the many health benefits of an active lifestyle. To this end, the CDC calls everyone to be mindful of and to take action on this key message: "Better spaces and more places for walking can get people more active."

The Community Guide for Preventive Services also provides three recommended strategies to support walking:

1. Creating, or enhancing access, to places for physical activity combined with informational outreach such as walking trails and paths and joint use agreements;
2. Street-scale urban design and land-use policies such as lighting and safe street design; and
3. Community-scale urban design land use policies such as pedestrian and recreational master plans and development of mixed used communities.

There is extensive research that shows that living near a park makes a difference in these neighborhoods.

Psychological Science

<http://pss.sagepub.com/content/early/2013/04/23/0956797612464659.abstract>

. This article and study shows that living near a park — an urban park with green space, one that is nature-filled and bird-filled — can make a difference in lowering mental distress and raising a feeling of well-being or life-satisfaction. These were the conclusions of a recent study in Psychological Science, results released by a team of four researchers out of the Universities of Plymouth and Exeter in the UK.

Not only did these researchers conclude that people are happier when living in urban areas with greater amounts of green space, they measured a "life satisfaction boost" generally equivalent to one-fifth to one-quarter of the increase associated with finding a job or being married. The increase in life satisfaction that accompanied nearby green space "was equivalent to 28% of the effect of being married rather than unmarried and 21% of being employed rather than unemployed."

In another recent study published in the International Journal of Health Geographics, it showed that pre-school kids who live in greener neighborhoods are more likely to play outside. The study by Diana S Grigsby-Toussaint, Sang-Hyun Chi and Barbara H. Fiese ([PDF](#)) showed that::

"... [E]xposure to greener neighborhoods encourages children to spend more time outdoors where they may reap both physiological and cognitive benefits. Conversely, children with the lowest levels of neighborhood greenness were least likely to spend time playing outdoors, engaging in active or quiet play (rainy day kids)."

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In addition to their own research, the authors point to examples including “initiatives using landscape architecture to create green elementary school grounds in Canada, which found a 70% increase in light and moderate physical activity among children.”

Those of us lucky enough to grow up with backyards and trees get this, and a growing body of research shows why it’s especially important: children who play outside are healthier, more creative in their play and more likely (PDF) to have positive attitudes toward nature (and environmentally conscious behavior) when they grow up. Plus, all those “physiological and cognitive benefits.”

In an issue of Science Dailey newsletter, an Oregon research project is presented that indicates, *“One way to help address the epidemic of obesity in the United States is improve access to pleasant hiking trails and ambitious parks and recreation programs..”* This study cites one example in West Virginia where a community with high obesity rates and limited access to recreation facilities noted that 25% of people using a new trail had previously been sedentary. They conclude the article by stating that “state and local policy makers who are dealing with competing budgetary demands become more informed about the health benefits of outdoor recreational opportunities and consider them in their allocations of scarce resources.” Science Daily (Jan. 15, 2010)

I will conclude the response to this question by sharing that personally my growing up in western North Carolina, and having ready access to the outdoors, including the Great Smoky Mountains National Park, Pisgah National Forest and the Blue Ridge Parkway made it simple for me to get outdoors. Unfortunately for many urban youth today in particular, getting to a national park is virtually a once a year vacation, if even that frequent. The stateside assistance program of LWCF provides the opportunity for close to home, quality outdoor recreation.

1. Harnik, P., *From Fitness Zones to the Medical Mile: How Urban Park Systems Can Best Promote Health and Wellness*, Trust for Public Land, 2011, 1.
2. Outdoor Foundation, *Outdoor Participation Report*, 2013, 26.
3. Outdoor Foundation, 2013, 29.
4. Harnik, 2011, 5.

Question 3: *Last week Domenic Bravo, Wyoming State Parks Administrator testified in the House that, “realigning spending with the original intent of the legislation would mean millions more spent close to home on priority projects determined by state actors who know best what local constituents want and need in terms of outdoor recreation.”*

Mr. Ledford, in addition to supporting state parks and local projects such as pools, playgrounds, and trails, is it correct a State can also acquire land using its Land and

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Water Conservation Fund dollars if it chooses to do so? Could states use the funding to acquire private inholdings from willing sellers within the exterior boundaries of state parks and forests?

Yes. During the time that I served as the state parks director in North Carolina it was not uncommon to acquire land for state parks, and to administer grants for land acquisition to local communities, that used the matching grants from the stateside assistance program from LWCF. Nationally, for the LWCF state assistance program, 77% of the funds have been used for development/construction projects to develop basic outdoor recreation facilities, the balance, 23%, supporting acquisition and of nearly 3 million acres for state and local parks in American.

Yes. States can use the funding for acquisitions and interior holdings based on their approved state outdoor recreation plans. A key difference is that state and local acquisitions are made in an open environment with the knowledge of key elected officials; therefore typically most are not controversial. In North Carolina, for example, public notice is required prior to acquisitions being approved.

Questions from Senator Bill Cassidy

***Questions:** Can you please share the primary sources of revenue to the Land and Water Conservation Fund (LWCF)? There are members of the committee, as well as some of you, who have advocated for the LWCF to be reauthorized and fully funded. While I agree that the LWCF needs to be re-authorized, I believe we can derive revenues for the fund through increased access to our energy resources on the Outer Continental Shelf. Could or should an increase in funding to the LWCF come from future OCS exploration and production as opposed to an appropriations increase that may require an offset?*

It is recognized that the waters off of Louisiana generates the overwhelming majority of the existing Outer Continental Shelf revenues. While there are some benefits, such as the jobs this creates, as I understand the question, you would like to see "new" OCS revenues used for LWCF?

In essence, the National Association of State Park Directors recommends that Congress use the Outer Continental Shelf revenue for the intended purpose of "when taking/utilizing/consuming one finite natural resource -- to use the revenues from it to go back into conservation, recreation and environmental benefits." If you want to do more, it is strongly recommended to formally establish a true trust fund for LWCF, including the State Assistance Program.

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The Outer Continental Shelf is presently generating over \$6 billion in an “average” year. The most that has ever been allocated for the total LWCF program is \$900 million, which is the administration’s recommendation for the current budget. We respectfully request that you advocate for Congress to dedicate a similar portion/percentage of those existing revenues to fund the program.

Question from Senator Franken

***Question:** The new Outdoor Recreation Legacy Partnership Program targets areas with low-income and minority populations and that are underserved by recreation opportunities. In your testimony, you commented that “NASPD and NRPA are committed to addressing the increasing urban needs that have arisen over the years.” This urban initiative is a good idea that deserves more support. Would you agree that we need to be putting more than \$3 million toward the Outdoor Recreation Legacy Partnership Program if we are going to further enhance public access to outdoor recreation opportunities?*

There are communities and neighborhoods in cities across the country that lack places and opportunities for residents, especially youth, to play, recreate, or otherwise be active outdoors. In large part, LWCF as prescribed in the original enabling legislation, addressed many of these needs in communities across America. As funds for the Stateside Assistance Program diminished as a result of the 60% for stateside provision being eliminated, and more recently the diversion of funds for “related purpose,” the ability of the LWCF Stateside Assistance Program to address these needs has decreased. The primary advantage to utilizing the State Assistance Program would be an objective process to identify and prioritize the need through the required Statewide Comprehensive Outdoor Recreation Plan (SCORP). Its development will ensure engagement by community leaders, user groups and organizations, et.al.

Provided that there are funds for an Outdoor Recreation Legacy Partnership Program “in addition to” the core amount for the State Assistance formula for the grants to the states, there would be no objection. Our essential request is to hold the State Assistance harmless/no net loss from a fair and balanced allocation. It remains our request that the funds for the State Assistance be a minimum of 40%, or return to the original 60% allocation, one of the visionary provisions of LWCF. Should Congress desire to provide funding for urban parks in addition, that’s their prerogative and could provide added outdoor recreational opportunities.

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We respectfully reiterate our request that Congress embrace this opportunity to update the LWCF to reflect 21st Century needs and priorities and provide a fair and balanced allocation to the Stateside Assistance Program that resembles and honors the original intent of this visionary law.

Respectfully submitted,

A handwritten signature in black ink, reading "Lewis R. Ledford". The signature is fluid and cursive, with the first name "Lewis" and last name "Ledford" clearly legible.

May 15, 2015

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Questions from Chairman Lisa Murkowski

Question 1: I appreciate that you state in your testimony that you want to retain program flexibility in the LWCF statute for Congress with respect to allocations between the state and federal sides, but the Act already specifies that at least 40 percent of the funds are to be spent on federal purposes. What do you mean by flexibility? Is it that you support flexibility in allocating the 60 percent not specifically dedicated to the federal side, or is it that you would support amending the Act to drop the allocation altogether?

Answer: LWCF works precisely because of the flexibilities already in law, and because of the congressional role we have supported and will continue to support. Annual funding to the conservation programs now funded through LWCF – the federal side of the LWCF and the spectrum of state and local grants programs, including traditional state and local assistance grants, Forest Legacy, Section 6 grants, Battlefield program, Highlands, and the like – is decided by Congress through the appropriations process each year. Applying this approach, the Congress has been allocating LWCF funding evenly between federal and state needs. Looking back at the numbers for the last 10 years, almost precisely half of the funds go to state and local programs, with the other half going to federal inholdings and related purposes (please see the attached chart). That’s how the Congress has been using the flexibility I discussed, and the Congress should maintain that flexibility into the future.

Question 2: Another focus in reauthorizing LWCF has been on which, if any, purposes other than land acquisition and stateside grants should be funded through the LWCF. In your testimony, you seem to indicate support to channel LWCF funds to a broader array of purposes to protect federal lands than just land acquisitions. Other than those currently authorized, to what “other purposes” do you think LWCF funds could appropriately go?

Answer: The Congress should continue the focus of LWCF on conservation and related outdoor recreational opportunities, as envisioned upon the establishment of the law. The funding is already authorized, without any limits, for operations and maintenance, for restoration, for science, and other needs. In particular, LWCF is the only fund dedicated to conservation investments, both fee and easement projects, that improve wildfire management and reduce risk, secure public water supplies, resolve inholdings and land-use conflicts, and support a \$646B annual outdoor recreation economy. Those are the appropriate uses of LWCF.

Expanding LWCF’s authorized purposes to cover other public land goals that already are authorized for funding wouldn’t make more dollars available for those non-conservation needs, but it would reduce the dollars available for needed conservation investments that significantly contribute to ongoing outdoor recreation access and help sustain lands and waters essential to the well-being of this nation’s communities.

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I want to emphasize, as I said in my testimony, two points: 1) many LWCF projects actually contribute to enhanced efficiency of land management; and 2) these LWCF investments often contribute to basic community needs that include maintaining clean water and reducing flood and storm impacts. In some cases, failing to protect these natural resources simply shifts (and augments) the costs of securing clean water and reducing risks to communities.

One good example is the Quabbin Reservoir in Massachusetts. The Quabbin was created by damming the three branches of the Swift River (and tributary of the Chicopee River, which in turn is a tributary to the CT River), and then piping the water through Lake Wachusett and then through more pipes to Boston, where it provides water for the city as well as 40 towns in the Greater Boston MSA. Because of land protection in the watershed by the state of Massachusetts, the water requires only minimal treatment, saving the state of Massachusetts millions of dollars.

Given these considerations, we don't believe there is a need to expand the purposes of LWCF, and, indeed, its current flexibility helps the Congress and agencies anticipate and respond to evolving opportunities and needs.

Questions from Senator Bill Cassidy

Questions: Can you please share the primary sources of revenue to the Land and Water Conservation Fund (LWCF)? There are members of the committee, as well as some of you, who have advocated for the LWCF to be reauthorized and fully funded. While I agree that the LWCF needs to be re-authorized, I believe we can derive revenues for the fund through increased access to our energy resources on the Outer Continental Shelf. Could or should an increase in funding to the LWCF come from future OCS exploration and production as opposed to an appropriations increase that may require an offset?

Answer: The link between LWCF and OCS is decades long and well established, not only in history but also in logic – investing proceeds from the use of certain natural resources in the protection of other natural assets. That linkage should continue. Annual OCS revenues are far in excess of the \$900 million that have been authorized annually for LWCF, ranging (generally) from \$6 billion to \$18 billion or more. Moreover, the amount appropriated for LWCF is far lower than that \$900 million authorized amount. To permanently fund LWCF, we need an offset for a program that already has a revenue stream.

That said, any revenue-sharing program should ensure that a significant portion of any funds directed to states are used to address the cumulative ecological impacts of OCS development. Also, the legislation should include dedicated funding for the Land and Water Conservation Fund (LWCF) to support all LWCF programs (including state and federal grant programs) to benefit the nation as a whole by addressing conservation and recreation needs nationwide. Dedicated funding for LWCF represents an important

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investment in the nation's significant natural places and the lands and waters that generate recreation opportunities, economic benefits, and community well-being using revenues derived from the extraction of the nation's valuable natural resources.

Question from Senator Debbie Stabenow

Question: You testified that approximately half of the backlog on public lands is related to roads and suggested that Congress address this problem as part of the next surface transportation reauthorization bill. Are there specific policy changes within the surface transportation reauthorization bill that would help address the backlog, or is the solution simply a matter of providing adequate funding?

Answer: We support Congress addressing the roads portion of the maintenance backlog in the next transportation bill. This issue is largely a matter of providing adequate funding to ensure that land management agencies have the resources to maintain these roads. Many of these roads are widely used, in some cases as basic public thoroughfares; other roads within the jurisdiction of the land managing agencies are critical to public access for the more than 400 million annual visits to these lands and are also critical to sustaining management of these lands. These are all basic infrastructure needs and should be adequately funded as part of the nation's overall transportation infrastructure investments. While ensuring funding is critical, we are looking more closely at specific policy changes and will follow up with you and the Committee in the coming month.

Question from Senator Ron Wyden

Question: During the hearing there was a lot of discussion around the economic benefits of public lands and the growing outdoor recreation economy. Public parks in urban areas have been shown to improve the health of community members with access to those parks, but can you discuss the benefits, both economic and social, of land acquisitions to create parks in rural areas?

Answer: Hunting, fishing, camping, hiking, paddling and other outdoor recreation activities contribute a total of \$646 billion annually to the economy and support 6.1 million American jobs, according to the Outdoor Industry Foundation. This sector generates \$39.9 billion annually in federal tax revenues, as well as \$39.7 billion in annual state and local tax revenues. The Congressional Sportsmen's Foundation has found that, each year, 37.4 million Americans aged 16 and older hunt and fish, spending a total of \$90 billion. The larger outdoor recreation, conservation, and historic preservation economy, contributes \$1.06 trillion annually and supports 9.4 million American jobs.

Whether manufacturing, retail or service related, most of these jobs are sustainable resource-based or tourism-related jobs and cannot be exported. Looking forward, outdoor recreation has the potential to create an additional 100,000 to 200,000 U.S. jobs, again with magnified impacts in local and rural communities. Federal lands are keys to local

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recreation and tourism industries, and visitors to these areas spend money on food, lodging, and equipment; for active outdoor recreation trips, \$243 billion in retail sales created a \$379 billion ripple effect for a total economic contribution of \$622 billion.

This ripple effect persists beyond services: for active outdoor recreation gear, \$46 billion in retail sales created a \$62 billion ripple effect for a total economic contribution of \$108 million. The outdoor industry is one of the healthiest sectors of our economy, even in difficult times.

In 2010, 437 million recreational visits to Department of the Interior (DOI)-managed lands contributed over \$44 billion in economic activity and supported more than 388,000 jobs – many in rural areas. Use of water, timber, and other resources produced from Federal lands supported about 370,000 jobs and \$48 billion in economic activity in 2010. The \$214 million that DOI spent on land acquisition (and easements) in 2010 created an estimated \$442 million in economic activity—more than doubling the return on investment—and generated about 3,000 jobs.

Beyond recreation, economists have shown that higher-wage services industries are leading the West’s job growth and diversifying the economy into high-tech, health care, real estate, and finance and insurance industries. This growth coincides with a concentration of the land base in federal protected status such as national parks, monuments, wilderness, and other similar designations (in high-protection counties, jobs increased by 345% over the last 40 years, while low-protection counties increased employment by 83%). Entrepreneurs and talented workers are choosing to work where they can enjoy outdoor recreation and natural landscapes. Increasingly, chambers of commerce and economic development associations in every western state are using the region’s national parks, monuments, wilderness areas, and other public lands as a tool to lure companies to relocate.

But even these figures understate the economic value of LWCF investments. As I noted in my testimony, these investments often help secure clean drinking water supplies or maintain natural systems that provide protections against coastal or other flooding. Often, protecting these natural systems costs less than investing more in mechanical water treatment facilities or other “gray” (built) infrastructure.

Land acquisition programs funded by LWCF do not simply add to the federal estate: they include conservation easements that protect working landscapes by ensuring that ranchers and farmers are able to stay on their lands and continue acting as tremendous stewards of open space. LWCF also funds the Forest Legacy Program, which works with timber owners to sustain working forests that provide jobs, forest products, and opportunities for recreation, as well as protecting water supplies and important wildlife habitat. The LWCF state grants program further supports America’s state park system, which contributes \$20 billion to local and state economies.

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LWCF also helps landowners and local banks recover from economic challenges. For many farmers, ranchers, and timberland owners, land is their biggest source of equity. In challenging economic times, some landowners face the loss of their properties through foreclosure. Working with federal and state land management agencies, the LWCF program provides landowners with another option to preserve their equity and keep iconic working landscapes intact. LWCF can also provide banks with an important option to move foreclosed properties off their balance sheets, strengthening the economic health of local communities.

Question from Senator John Barrasso

Question: Ms. Scarlett, I don't think anyone would say 12 percent is a fair and equitable amount of funding for the states to be receiving when the original law was 60 percent. What is a fair and equitable percentage of funding for the states to receive that The Nature Conservancy would support as part of reauthorization?

Answer: We appreciate the goal of sustaining benefits through LWCF for both states and federal agencies. The 12 percent number is just one aspect of LWCF funding that supports state and local needs. There are a variety of other programs that provide grants to states and counties. When taken as a whole, these programs have totaled approximately 50 percent over the past decade. As previously noted, TNC believes that Congress is doing a good job in terms of equitable distribution, and we support maintaining congressional flexibility to determine annually how best to distribute funding. In our review of LWCF spending over the last ten years, we have seen that almost exactly 50 percent of LWCF investments are going to state and local programs, with the remaining 50 percent available for federal projects, which affirms that Congress is taking a balanced approach to LWCF.

This balance is further reflected as you dig deeper into the constituent programmatic parts of LWCF. Similar amounts of LWCF each year go to National Parks through the federal programs and to state and local parks through the traditional state grants program; to National Forests through the federal grants and to state and local forest conservation through Forest Legacy; and to National Wildlife Refuges through federal grants and to state and local wildlife grants through Section 6. We believe these are the sorts of comparisons that are especially relevant in considering allocation of LWCF funding.

That said, there is no fixed magic number that would be right for any of the component programmatic parts of LWCF. Congress each year makes the choice regarding the balance among national and local recreation needs, between national and state forest needs, and so on, based on annual opportunities and needs. That flexibility enhances the success of LWCF investments.

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Questions from Senator Mazie Hirono

Questions: Potential Reform Impacts

You highlight that the purpose of the LWCF at time of establishment was to balance development of federal energy sources with the protection and conservation of lands, water, and wildlife for existing and future generations—a purpose that roughly 85% of voters support.

If Congress were to take these funds and use them for purposes other than the original intent, what kind of precedent do you think that will set? How will that impact the outdoor economy, especially during a time that the Administration is encouraging all Americans to get outdoors?

Answer: The Land and Water Conservation Fund was authorized in 1965. Since then, the vast majority of funding for LWCF has come from OCS oil and gas revenues. LWCF was designed to ensure that \$900 million per year of these revenues would be allocated to conserving our nation's natural and cultural heritage and enhancing opportunities for the American people to connect with that heritage through visitation, outdoor recreation, and tourism. However, since its enactment more than \$17 billion in OCS revenues that should have gone to LWCF have been diverted to other purposes. Reinvesting in the nation's natural places through the LWCF ensures that all citizens can benefit directly from the sale of our federal resources by investing some resources from those sales in conservation of lands and waters that secure outdoor recreation opportunities and other related benefits for present and future generations.

It is worth noting that the LWCF program is not just about acquiring lands for the public trust. LWCF programs conserve working landscapes that support the forest, farming, and ranching economic sectors; provide access for hunters, anglers, and other recreation visitors to our federal lands and waters; and support the \$646 billion outdoor recreation industry. LWCF investments have supported projects in every state and 98 percent of counties across the country.

LWCF has been the key to protecting state, local and national parks, wildlife refuges, forests and other federal lands, working forests and ranches, recreational trails and recreational access points for all Americans. Therefore, we urge support for all LWCF programs, including federal and state grants programs. Stateside LWCF programs have enabled the conservation of many important natural areas, and federal programs are also a critical companion for establishing national parks, wildlife refuges, and other areas that can be enjoyed by all Americans.

**U.S. Senate Committee on Energy and Natural Resources
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Questions for the Record Submitted to Mr. Reed Watson**

Questions from Chairman Lisa Murkowski

Question 1: Why does PERC think the LWCF should be used to address the maintenance backlog rather than relying solely on the general budget and appropriations process?

Answer 1: The general budget and appropriations has, heretofore, proven incapable of addressing the maintenance backlog on federal lands. Although the LWCF is, by itself, insufficient to alleviate the entire maintenance backlog on federal lands, using those funds to acquire additional lands while we fail to maintain the current federal estate is nonsensical.

Question 2: What has PERC learned from its research about how the public views maintaining and revitalizing existing recreation resources versus new land acquisition for recreation purposes? Does it vary by geographic region?

Answer 2: Our research indicates that public lands users throughout the country support maintaining federal lands, particularly as such maintenance translates to public access and recreational opportunities. Given that a significant portion of recent federal land acquisitions have targeted in-holdings, increases in public access and recreational opportunities have been minimal.

There is ample evidence that Westerners value the care and maintenance of existing federal lands. The latest “Conservation in the West” survey, conducted by Colorado College, found that 95 percent of voters in the West believe that Congress should ensure that public land managers “have the resources they need to take care of public lands and provide services to visitors.”¹ While the survey is commonly cited as evidence that conservation programs such as the LWCF are popular among Westerners, this finding suggests that properly maintaining and caring for existing federal lands is a top priority among Western voters.

Question 3: Some LWCF supporters have stated that dedicating LWCF dollars for maintenance is not worth doing as it would not make any appreciable difference in the size of the maintenance backlog. Can you explain why this is not a credible policy position?

Answer 3: This is not a credible policy position for two reasons. First, as a logical matter, using LWCF funds to acquire more lands would stretch the already too-thin budgets further, over even more federally-owned but unmaintained acres. Second, the National Park Service estimates it would need \$700 million just to maintain the agency’s

¹ The 2015 Conservation in the West Poll: A Survey of the Attitudes of Voters in Six Western States.
<https://www.coloradocollege.edu/stateoftherockies/conservationinthewest/>

**U.S. Senate Committee on Energy and Natural Resources
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current maintenance backlog,² so directing the full \$900 million currently designated for the Fund would thus “hold the line” and make a non-trivial contribution to reducing the backlog.

Questions from Senator Bill Cassidy

Questions: Can you please share the primary sources of revenue to the Land and Water Conservation Fund (LWCF)? There are members of the committee, as well as some of you, who have advocated for the LWCF to be reauthorized and fully funded. While I agree that the LWCF needs to be re-authorized, I believe we can derive revenues for the fund through increased access to our energy resources on the Outer Continental Shelf. Could or should an increase in funding to the LWCF come from future OCS exploration and production as opposed to an appropriations increase that may require an offset?

Answer: Currently authorized at \$900 million per year, with the vast majority of revenues currently derived from oil and gas leasing on the Outer Continental Shelf.³ The general budget and appropriations process has not proven effective at providing the funds necessary to maintain the federal estate, so an alternative funding source is likely needed. One option to consider is user fees retained at the site of collection. The user fee approach, with retained receipts, would provide federal land managers with an incentive to maintain the lands, trails, roads, and habitats that are most valuable to federal land users. Moreover, user fees with retained receipts would avoid the appropriations and offsets issue altogether.

Question from Senator Jeff Flake

Question: I am generally cautious of permanent government programs and prefer that Congress periodically revisit programs, particularly those that involve significant Federal expenditures, as we are doing here today, in order to re-evaluate their necessity and make any necessary updates. Do you support locking in the program as it currently exists with a permanent reauthorization, or would you rather see it reauthorized for a limited timeframe and have it revisited later?

² Statement of Jonathan B. Jarvis, Director, National Park Service, Department of the Interior, Before the Senate Committee on Energy and Natural Resources, for an Oversight Hearing to Consider Supplemental Funding Options to Support the National Park Service’s Efforts to Address Deferred Maintenance and Operational Needs. July 25, 2013.
http://www.energy.senate.gov/public/index.cfm/files/serve?File_id=6d4cd073-b1f5-42cf-a61a-122be71e67b9

³ Carol Vincent Hardy. 2014. “Land and Water Conservation Fund: Overview, Funding History, and Issues.” Congressional Research Service. RL33531. <http://nationalaglawcenter.org/wp-content/uploads/assets/crs/RL33531.pdf>

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Answer: Our federal land agencies need secure and reliable funding sources in order to maintain the lands under their control, but funding need not be permanent in order to be secure and reliable. Secure and reliable funding can come from user fees, collected at entry points to our federal lands and retained at the site of collection for federal land managers to use for maintenance.

A prefatory issue is whether the LWCF should be used to acquire additional lands and further exacerbate the maintenance backlog. The answer to that question is no, at least not until the current maintenance backlog is significantly reduced or eliminated. Dedicating the LWCF to maintenance until some measurable and objective draw down has been achieved. This approach would complement the user fees and retained receipts approach, while providing the federal land agencies and managers with a base level of funding for deferred maintenance.

Questions from Senator Mazie Hirono

Questions: Endangered Species in Hawaii

In your testimony you state that LWCF funds should be directed towards maintenance backlogs before being used for land acquisitions. The four agencies that administer the LWCF have a total estimated backlog of \$18.87 billion. Assuming that the LWCF if fully funded at \$900 million a year, it would take 21 years to get through the existing maintenance needs *today*, not including any additional needs between now and 2036.

Have you ever been to Hawaii? We are the endangered species capital of the world and are very pleased that land acquisitions in Hawaii are a part of the FY2016 budget request. These lands are where many threatened and endangered species live, species that attract around 358,000 wildlife watchers each year. One of which, an endangered bird called the Palila, lost two-thirds of its population between 2003 and 2008—a period of 5 years. Do you think that with the ongoing threats of climate change, invasive species, etc. that our endangered species in Hawaii have over 20 years to wait for their habitats to be protected?

Answer: No, endangered species do not have decades to wait while the deferred maintenance backlog on federal lands is incrementally addressed, which is why my testimony presented the LWCF as part of a larger funding strategy to conserve the precious lands currently under federal management. Using the LWCF to acquire additional federal lands could do more harm than good for endangered species if Congress continues to ignore the maintenance obligations of federal land ownership. All legislators, but particularly those from states with numerous endangered species, should take responsibility for maintaining and conserving federal lands and the endangered species habitats those lands contain.



Association of Northwest Steelheaders

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 503-653-4176 • 503-653-8769 (fax)
 office@anws.org • www.nwsteelheaders.org • Established 1980

Bob Rees
 Executive Director

April 17, 2015

The Honorable Lisa Murkowski
 Chairman
 Committee on Energy and Natural Resources
 304 Dirksen Senate Building
 United States Senate
 Washington, DC 20510

The Honorable Maria Cantwell
 Ranking Member
 Committee on Energy and Natural Resources
 304 Dirksen Senate Building
 United States Senate
 Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

The Association of Northwest Steelheaders is deeply invested in the reauthorization and continued success of the Land and Water Conservation Fund. Despite the historic failed promises of full and dedicated funding of this important legislation, we remain hopeful that Congress can act appropriately to pass legislation that fulfills the need for which this fund can accomplish.

Safe and unrestricted access to the productive lands and waters of the Pacific Northwest is the major limiting factor in the recruitment of future generations of ethical hunters and anglers. Without these future user groups, state fish and wildlife agencies will continue to realize shrinking budgets and program cuts. We are the constituency that funds the majority of conservation, propagation and education programs for these natural resource agencies.

Furthermore, the Land and Water Conservation Fund has secured critical wetlands that have high ecological value for disappearing habitats that fuel multi-million dollar sport and commercial fisheries that are conducted throughout the Pacific Northwest. One of the most recent acquisitions in the Nestucca Estuary on the North Oregon coast will have immeasurable benefits for salmonids as they acclimate to the saltwater phase of their lifecycle. Examples such as the Nestucca purchase can be found throughout the region and demonstrate the importance of a full funding package for this program.

Although the Land and Water Conservation Fund has only been funded at full capacity a single year out of the last 50, its purpose is clear and defined and most importantly, well vetted by professionals that prioritize the greatest need in their respective regions. This fund is already highly functioning with the only improvement necessary being a mandate that fully funds the intent of this program. **Please prioritize reauthorizing the Land and Water Conservation Fund** to keep our nation's people invested in the outdoors and keep the industries that depend on healthy and productive public lands booming.

In Gratitude,

Bob Rees, Executive Director
 Association of NW Steelheaders
 (503) 812-9036

Cc: Senator Ron Wyden

*Anglers dedicated to enhancing and protecting fisheries and their habitats for today and the future.
 The Association of Northwest Steelheaders is a 501(C)3 corporation: 91-1031100*



April 17, 2015

The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
United States Senate
304 Dirksen Senate Building
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Energy and Natural Resources
United States Senate
304 Dirksen Senate Building
Washington, DC 20510

The Honorable Ron Wyden
Member
Committee on Energy and Natural Resources
United States Senate
221 Dirksen Senate Building
Washington, DC 20510

Dear Chairman Murkowski, Ranking Member Cantwell, and Senator Wyden:

Our conservation organization representing hundreds of Oregonians is writing to you about the importance of re-authorization of the **Land and Water Conservation Fund (LWCF)**. Since the fund's inception 50 years ago, it has touched every county in Oregon adding to the quality and access of our state's treasured public lands. These include Crater Lake National Park, the Cascade-Siskiyou National Monument, the John Day Fossil Beds National Monument, and many other sites at the state and local level.

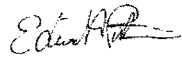
Overlooked is what **LWCF** means to the rural counties of Oregon and other states where economies are lagging. Since 1965, over \$300 million dollars of **LWCF** funds have been used to enhance the quality and accessibility of our state's natural resources. By making our state's treasures more accessible, we enhance the outdoor economy which supports approximately 250,000 jobs in Oregon and Washington and generates nearly \$25 billion in consumer spending, according to the Outdoor Industry Association. Many outdoor jobs simply would not exist if it weren't for funds like **LWCF** to help support our public lands.

There are many Pacific Northwest communities anxiously looking to **LWCF** to support local projects. One that is worthy of future funding is called "Pathways to the Pacific" which spans key riparian areas along nearly 500 miles of the John Day and Columbia Rivers where salmon and steelhead runs provide recreation and livelihoods for many in both Oregon and Washington. But this will take re-authorization of **LWCF**.

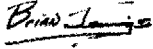
We thank you for your support and urge a strong bi-partisan effort to re-authorize this critical fund that supports a vital outdoor industry.

Sincerely,

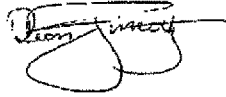
Ed Putnam, Chair, Backcountry Hunters & Anglers, Oregon

A handwritten signature in black ink, appearing to read "Ed Putnam", with a horizontal line extending to the right.

Brian Jennings, Oregon State Coordinator, Backcountry Hunters & Anglers

A handwritten signature in black ink, appearing to read "Brian Jennings", with a horizontal line extending to the right.

Dean Finnerty, SW Oregon Field Representative, Sportsmen's Conservation Project, Trout Unlimited

A handwritten signature in black ink, appearing to read "Dean Finnerty", with a horizontal line extending to the right.

To whom it may concern-

Over the last 9 years, I have been stationed in some of the most beautiful places in the country. The outdoors have always been a big part of my life. Growing up in New England, I and my family enjoyed hiking, mountain biking, skiing and camping. It has been a source of relaxation and way to be part of all the beauty that surrounds us. As an active duty service member, I hold the outdoors especially close to my heart as it is not just about me being able to enjoy the activities of my surroundings, but also my family members and community. I stand the watch every day to serve and protect not only my country but everyone and everything within it.

While serving and living in the Pacific Northwest, I have been able to introduce my wife and son to all the beauty that our special corner of the world has to offer. Being deployed 6-7 months out of the year, I cherish this special time I get to spend with my family. We often ride our bikes at Ft. Stevens State Park or take our dog for a hike at Ft. Clatsop. At the young age of 5, my son Jackson has already stood amongst the Redwoods, looked out to Cape Disappointment, hiked at Ecola State Park and listened to his echo while shouting "Hey you guyssssss!" He also enjoyed learning about plants, birds and wild life indigenous to our area. We have family members who come from all over to witness the natural beauty that we have been fortunate enough to call home.

I understand that the Land and Water Conservation Fund is up for re-authorization at the end of this fiscal year and that Oregon's Senators are ready to vote for that and to push their colleagues for full funding. I am hopeful that the lands I have served for and enjoy so much will continue to be cared for by this incredible tool so that I and my family and all Americans can count on the lands that we love to continue to flourish.

It is my privilege and honor to serve and protect this beautiful country. Please support the Land and Water Conservation Fund and help keep our public lands beautiful and thriving.

Very Respectfully,

Andrew Bellone

Petty Officer 2nd Class, United States Coast Guard

Astoria, Oregon

Oct. 9, 2014

Senator Ron Wyden
U. S. Senate
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

I returned home late last year to Oregon, after many years serving overseas in Africa, Asia, and Canada as a diplomat for the U.S. Department of State, serving finally as U.S. Ambassador to Gabon and to Sao Tome & Principe. I could have chosen to retire anywhere, but I missed the spectacular beauty and recreational opportunities available in Oregon that I enjoyed during my childhood near Brownsville, OR. Many of the places I most enjoy re-discovering, I have recently learned, exist because they were protected or enhanced by monies from the Land and Water Conservation Fund (LWCF). I understand that you are a leader in keeping that program permanently funded, and I want to thank you for that effort.

Oregon's abundant wildlife is being protected in the Oregon Coast Wildlife Refuges, our working forests are being conserved through the Forest Legacy Program, and our history is enshrined along the Oregon National Historic Trail -- all initiatives funded by LWCF dollars. From Fort Clatsop to the John Day Fossil Beds, Oregon has benefitted from LWCF projects that conserve, expand, and improve some of Oregon's most special places and ensure recreational access for literally millions of Oregonians and visitors.

LWCF dollars have had a positive impact on practically every county in Oregon, and you have exemplified leadership in Congress with your efforts to reaffirm the commitment to this valuable program. Thank you for your work.

Sincerely,

Eric Benjaminson
Ambassador (Retired)

April 20, 2015

The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

I am a veteran who runs a small business in Oregon called Soul River Runs Deep. My business is unique in approach and style. Merging my talent in art, design and fashion with my passion for the outdoors and fly fishing, this anthropologic boutique boasts high-end yet accessible gear, unique apparel, locally-crafted accessories, and home decor that anyone can appreciate. Soul River Runs Deep has doors that are open to all people of all walks of life. This space knows no discrimination for who can and cannot afford, who looks the “part” or does not. It is my belief that public lands, fly fishing, rivers, and all-encompassing Mother Nature should be cherished and enjoyed by all. No one is to judge who can or cannot be the next ambassador for conserving our planet’s richest asset - nature. Soul River Runs Deep believes in giving back which is why I developed Soul River Runs Wild, a program that allows inner city youth and military veterans the opportunity to experience public lands first-hand and at zero cost. Through all Soul River Runs Deep sales, 15% is given back to the Soul River Runs Wild program. This allows us to build a bridge for participants to reach the outdoors. We use fly fishing as a starting-point for youth and veterans to build relationships and mentor, as well as learn about rivers, entomology, river and land navigation, and outdoor leadership. Soul River Runs Wild averages seven outings per year on wild rivers using public lands to instruct, learn, and build community not just for today but for tomorrow’s ambassadors. We work with local organizations, tribes, and groups closely tied with the public lands to which we are using. By partnering with such groups, we are able to richen the experiences by creating connections to the history of the land and how we can care for this valuable resource today. Both my business and the underserved communities I work with rely on protected public lands and healthy rivers.

The **Land and Water Conservation Fund (LWCF)** is a major economic driver not only in Oregon, but across the country. This program helps protect the places I take my clients fly fishing, and provides access the great outdoors for veterans and youth needing to clear their heads and their souls.

One example of where LWCF has benefitted my business and my community is the Sandy River, which empties into the mighty Columbia River. The LWCF brought people together to conserve threatened salmon and steelhead in the Sandy River Basin. The LWCF contributed more than a quarter million dollars to create Oxbow Regional Park along the Sandy River. This enabled more people to use the river for fishing and other recreational activities, and protected habitat for the iconic salmon fisheries of the Pacific Northwest.

The LWCF program works. When a tool has worked for 50 years, why remove it from the toolbox. I encourage Congress to focus on reauthorizing this invaluable program, instead of trying to change it. Without LWCF, I am confident that Oregon's outdoor economy would be weaker and I would have fewer places to take my clients, my friends, and the at risk youth from my community.

Sincerely,

Chad Brown, US Navy Veteran
Soul River Runs Deep
Soul River Inc.
Portland, OR

cc. Senator Ron Wyden, Member of Senate Energy and Natural Resources Committee

Testimony of Michael Caplin

May 6, 2015

Chair, Honorable Lisa Murkowski
 Ranking Member, Honorable Maria Cantwell
 Senate Committee on Energy & Natural Resources
 304 Dirksen Senate Building
 Washington, DC 20510

Transmitted via email attachment to darla_ripchensky@energy.senate.gov

Re: Testimony to be included in the record of the hearing on *Reauthorization Of and Potential Reforms To the Land and Water Conservation Fund*," April 22, 2015.

Dear Chair Murkowski, Ranking Member Cantwell, and members of the committee:

The subject of this hearing has been of interest to me for decades. Thank you for this opportunity to provide testimony for the record.

I expect the Committee will receive an abundance of testimony about the benefits of the Land and Water Conservation Fund (L&WCF) and the Land and Water Conservation Fund Act (L&WCFA), much from those who profit from them in various ways. With this testimony I try to provide some balance by providing specific examples of problems I hope the Committee will address.

Problems fostered by the L&WCF discussed in this testimony are:

1. The L&WCF fosters acquisition of private land by federal agencies when the acquisition has not been authorized by Congress (that is, fosters unauthorized federal land grabs).
2. The L&WCF fosters the appearance of a conflict of interest between federal agencies in their role being responsible for fighting wildfires and their role with the apparent desire to acquire ever more private land.
3. The L&WCF acts to increase the threat of wildfires to lives and property in communities near federal land, especially where land is acquired and wilderness is designated near or over topographically suitable locations for firebreaks and/or fuelbreaks, or along roads used for ingress or egress during wildfires.
4. The L&WCF acts to increase multiple threats to our national security should terrorists choose to exploit them.
5. The L&WCF fosters fraud on American taxpayers.

To address these problems I propose that:

1. The L&WCF should be allowed to sunset and not be reauthorized.
2. New law should be enacted that repeals all existing authority for federal land management agencies to acquire private land. For areas east of the 100th meridian, new crystal clear acquisition authority should be enacted with tight Congressional oversight and local hearings

Testimony of Michael Caplin on *Reauthorization Of and Potential Reforms To the Land and Water Conservation Fund*," April 22, 2015 Page 1 of 17

prior to each acquisition. For areas west of the 100th meridian, no acquisition authority should be enacted and each acquisition should require special legislation, which should be disfavored by Congress.

3. For areas west of the 100th meridian, all lands in federal ownership that are topographically suitable for fuelbreaks or firebreaks should either be sold or granted into private ownership, or, at the very least, any wilderness designation should be removed, with generous non-wilderness setbacks on each side to facilitate construction of effective fuelbreaks before wildfires and timely opening of firebreaks during wildfires.
4. Federal land management agencies, which currently have little authority to sell or grant land, should be provided broad authority to sell and grant land into private ownership, especially for areas west of the 100th meridian, in order to encourage dispersal of our populations at relatively low densities, to help make our nation more resistant to attack by weapons of mass destruction.

At the least, valid solutions to these problems should be decided through open debate in Congress, rather than allowed to fester due to benign neglect or opposition by those who have priorities other than protection of lives, property and our national security.

PROBLEMS FOSTERED BY THE L&WCF

1. **The L&WCF fosters acquisition of private land by federal agencies when the acquisition has not been authorized by Congress (that is, fosters unauthorized federal land grabs).**

The following excerpt from the Congressional Record quoting former Senator Frank Church from Idaho, a strong supporter of passage of the L&WCFA, expresses the intent in 1964 when L&WCFA's passage was being considered.

Mr. CHURCH. I shall try to be very explicit.

The last thing the committee wanted was a land-grab bill. Most of the members of the Committee on Interior and Insular Affairs come from western States. We are acutely conscious of the fact that the Federal Government is the largest landholder in our States. Federal holdings vary from one-third to more than 90 percent. In the State of Idaho, for example, 63 percent of the land is owned by the Federal Government. No Member of the Senate is more sensitive to the danger of abusive Federal land acquisition than is the senior Senator from Idaho. So the committee has taken every precaution to make certain that the bill will not become a device for any kind of offensive land grab by the Federal Government.

These are precautions we have taken:

First, we have written into the bill a provision which prescribes that, with respect to any land acquired by the Federal Government, either within the national forests or the national parks or the game and wildlife refuges, wherever it may be, of all

the money made available for this purpose in the bill, only 15 percent can be spent in the West, where Federal landholdings are already large. Eighty-five percent of the money must be spent in the East, where there is a serious need for acquiring more land in order that the public may have places to enjoy outdoor recreation. That is the first precaution the committee has taken.

The second precaution is to establish a formula funneling the lion's share of this money to the States. Sixty percent of the money, in ordinary circumstances, will be tendered to the States as matching funds, to permit the States to go forward with recreational development. That is the second precaution we have taken in the bill.

Third, by leaving existing law intact, the effect of the bill is to impose all the limitations of the Weeks Act, which has been in effect since 1911 or 1912, and which regulates the acquisition of land by the Federal Government in the national forests.

(Congressional Record -- Senate, August 12, 1964, pages 19120-19121.)

The first precaution noted by Senator Church was codified at the second proviso in 16 USC § 460l-9(a)(1)(b), repealed and restated as positive law at Title 54 USC § 200306(a)(B)(iii) (128 Stat. 3178; Public Law 113-287, Dec. 19, 2014).

The need for the precaution is demonstrated by the map I have included as Exhibit 1, which shows that much of the western United States is owned by the federal government. As enacted, the first precaution noted by Senator Church appears to apply only to National Forest System acquisitions, rather than all federal acquisitions as believed by Senator Church. I do not have the ability to check whether the precaution that "... only 15 percent can be spent in the West ..." has been followed or circumvented, but the Committee should have that ability, perhaps with the help of the Government Accountability Office (GAO).

The third precaution noted by Senator Church, leaving existing limitations on land acquisitions in place, was codified at Title 16 USC § 460l-9(b), repealed and restated as positive law at 54 USC § 200306(b) (128 Stat. 3178; Public Law 113-287, Dec. 19, 2014), which now states:

ACQUISITION RESTRICTIONS.—Appropriations from the fund pursuant to this section shall not be used for acquisition unless the acquisition is otherwise authorized by law. Appropriations from the Fund may be used for preacquisition work where authorization is imminent and where substantial monetary savings could be realized.

That L&WCFA acquisition restriction is consistent with federal appropriations law, as expressed by the GAO, which states,

A federal agency is a creature of law and can function only to the extent authorized by law. The Supreme Court has expressed what is perhaps the quintessential axiom of "appropriations law" as follows:

"The established rule is that the expenditure of public funds is proper only when authorized by Congress, not that public funds may be expended unless prohibited by Congress."

United States v. MacCollom, 426 U.S. 317, 321 (1976).

(GAO, Principles of Federal Appropriations Law (Red Book), Third Edition, Volume I, page 1-2, footnote omitted.)

As discussed by Senator Church, pursuant to 54 USC § 200306(b), a mere appropriation of funds from the L&WCF does not empower the Forest Service or other federal agency to acquire lands "... unless such acquisition is otherwise authorized by law"

The Forest Service Manual (FSM) 5420 enumerates the Forest Service's land acquisition authorities.

The Weeks Act of 1911, referenced by Senator Church above, "... is the primary land acquisition authority for the Forest Service." (FSM 5420.11a.) Before the Weeks Act, each acquisition of land by the Forest Service had to be authorized by Congress with legislation.

The Weeks Act authorizes the Forest Service to acquire land consistent with the description and purposes codified at 16 USC § 515, which states in pertinent part,

The Secretary of Agriculture is hereby authorized and directed to examine, locate, and purchase such forested, cut-over, or denuded lands within the watersheds of navigable streams as in his judgment may be necessary to the regulation of the flow of navigable streams or for the production of timber.

When originally enacted (36 Stat. 961), section 4 of the Weeks Act created the National Forest Reservation Commission (NFRC), which provided oversight to help ensure that acquisitions proposed by the Forest Service were of the type of land and for the purposes authorized by the Weeks Act. The NFRC would approve "purchase units," which are areas outside national forests in which acquisition of land by the Forest Service is authorized as being consistent with requirements of the Weeks Act.

The National Forest Management Act of 1976 (Pub. L. 94-588, Oct. 22, 1976, 90 Stat. 2961) (NFMA of 1976) removed oversight by the NFRC of acquisitions under Weeks Act authority by repealing section 4 of the Weeks Act, thereby disbanding the NFRC, and transferred all of the functions of the NFRC to the Secretary of Agriculture.

Though NFRC oversight of Forest Service acquisitions under Weeks Act authority was removed, and purchase units could now be both proposed and approved by the Secretary of Agriculture, the requirements and limitations of Weeks Act acquisition authority remain intact and purchase units and attendant acquisitions must still conform with the requirements of the Weeks Act.

The Organic Act of 1956 (Act of 1956) provides additional authority for the Department of Agriculture (USDA) to acquire land "... as may be necessary to carry out its authorized work ..." as codified in pertinent part at 7 USC § 428a(a).

The example given as the need for the Act of 1956 acquisition authority at the hearing on H.R. 11682 and H.R. 11699 before the House Committee on Agriculture in 1956, which became the Act of 1956, is that the USDA was authorized to construct a seed bank for the storage of seeds, but did not have authority to purchase the land on which the seed bank would be built. The intent of the Act of 1956 was to authorize the USDA to acquire land on which to carry out its authorized work, in that case, constructing the authorized seed bank. (Act of 1956, Hearing Before the Committee on Agriculture, House of Representatives, Eighty-Fourth Congress, Second Session, on H. R. 11682 And H. R. 11699 June 27, 1956, pages 21-27.)

The FSM states that the Act of 1956, "... serves as the primary authority for administrative-site acquisitions and Land and Water Conservation Fund (L&WCF) purchases where the Weeks Law or specific authorities do not apply." (FSM 5420.11b.)

However, as discussed above, the L&WCFA expressly states it is not authority for acquisition of land, saying, "Appropriations from the fund pursuant to this section shall not be used for acquisition unless the acquisition is otherwise authorized by law." (54 USC § 200306(b).)

Senator Church's comments in the Congressional Record show that the reason for the L&WCFA acquisition restrictions was to prevent the L&WCF from becoming the source of funds for "... any kind of offensive land grab by the Federal Government."

The Forest Service's interpretation that an appropriation from the L&WCF provides the "authorized work" needed to satisfy the requirements to acquire land in the Act of 1956 circumvents the third precaution in the L&WCFA discussed by Senator Church, as quoted above, and is contrary to the intent of Congress as shown by the discussion during the House Committee on Agriculture hearing on H.R. 11682 and H.R. 11699, which became the Act of 1956 (see above).

The Forest Service's interpretations of the Act of 1956 and the L&WCFA, taken together, would effectively mean that the Forest Service has authority to acquire all land in the United States, for any purpose, so long as it can obtain appropriations from the L&WCF.

An additional precaution in the L&WCFA was intended to prevent that, not mentioned by Senator Church.

Before the restatement into positive law in 2014, the L&WCFA provided that, "...unless otherwise allotted in the appropriation Act making them available..." the President would allot L&WCF money to the Forest Service only for acquisition of land inside wilderness, inside the boundaries of National Forests as they existed on the date of enactment of the L&WCFA, or inside purchase units approved by the National Forests Reservation Commission, provided however, that up to three thousand acres of land outside of but adjacent to an existing national forest boundary could be acquired if it "...would comprise an integral part of a forest recreational management area." (Formerly 16 USC § 4601-9(a) through 4601-9(1)(b)).

The 2014 restatement to positive law appears to have altered the meaning of some of the former language with regard to National Park System acquisitions, but seems to have left the Forest Service acquisitions meaning intact.

I live in an area where the Forest Service has been undertaking a land grab for decades, having purchased thousands of acres of private land in the area, much outside the boundaries of the national forest and over the three thousand acre limit for acquisitions outside a national forests.

Between 1980 and 1986 there were seven bills and amendments in Congress to federalize the entire community where we live, Big Sur, California. Some of those bills authorized acquisition of all private land in the area. Congress wisely rejected every bill. By the time the last bill was introduced in 1986, our then-Congressman Leon Panetta, who had authored his own bill in 1980 to federalize the area, helped our community oppose the 1986 bill.

The first bill to federalize our community, introduced in 1980 by Senator Alan Cranston, proposed an amendment to the L&WCFA to remove the 3,000 acre limit on acquisitions outside the existing boundaries of the Los Padres National Forest. The 3,000 acre limit was found in the L&WCFA codified at 16 USC § 4601-9(a)(1)(b), and has been repealed and restated as positive law at Title 54 USC § 200306(a)(B)(iii) (128 Stat. 3178; Public Law 113-287, Dec. 19, 2014)

In 1980, it appears that the L&WCFA was interpreted to not allow any acquisitions outside a national forest over the 3,000 acre limit.

Included as Exhibit 2 is a letter from Senator Cranston to his colleagues in the Senate, explaining that the 3,000 acre limit in the L&WCFA prevented the Forest Service from making any acquisition outside the national forest that would exceed the 3,000 acre limit. In 1980, Senator Cranston introduced a bill, S2233, to remove the limit by amending the language in the L&WCFA to say that the limit did not apply to the Los Padres National Forest. That bill did not pass. The L&WCFA language Senator Cranston sought to avoid has remained the same since before he introduced his bill in 1980, but clearly is interpreted differently now as discussed below.

Since 1986, when the last bill to federalize our community failed, the Forest Service and other government agencies have been buying up private land in the area, to the point that over one third of the private land, or about 20,000 acres, have been acquired by government agencies,

including the Forest Service, exactly the kind of land grab Senator Church said was intended to be avoided when enacting the L&WCFA.

Included as Exhibit 3 is a table prepared by the Forest Service in 2005, showing land acquisitions with L&WCF dollars, including in excess of 3,000 acres outside the boundaries of the Los Padres National Forest (that is only acquisitions in Monterey County, and does not include purchases outside the Los Padres National Forest in other areas). The Forest Service has acquired substantially more private land outside the national forest in our community since the table was prepared in 2005.

Individuals have a finite amount of time on this Earth, then they die, at which time their land often comes up for sale. The Forest Service and other government agencies do not die, and can eventually buy up all land wherever they decide to do so if there are no controls in place, or if controls exist but are not enforced and are ignored.

Alan Funt of Candid Camera fame owned the 1,200 acre Brazil Ranch in our community. When he died in 1999 his heirs put Brazil Ranch up for sale for about \$9.5 million. It sat for sale at that price for a couple of years with no buyer. The ranch was three miles outside the boundary of the Los Padres National Forest.

My understanding is that ultimately, the Forest Service acquired the Brazil Ranch from the Trust For Public Land (TPL) after TPL was paid about \$28 million. I believe TPL made \$3 million on the deal, and possibly more. I go into more detail on how this worked below in my discussion of how federal land acquisitions funded with L&WCF money can work fraud on taxpayers. Here however, I will discuss how the Forest Service appears to have falsified its authority to acquire the Brazil Ranch.

After the Forest Service purchased the Brazil Ranch I asked a Forest Service representative at a public meeting what acquisition authority the Forest Service had used for the purchase. When I was provided the answer later, it stated the authority was the L&WCFA. After I explained that the L&WCFA states that an appropriation from the L&WCF is not authority to acquire land, I was told that the Act of 1956 was the acquisition authority. However, there was no authorized work to support acquisition of the Brazil Ranch under Act of 1956 authority, nothing comparable to Congressional authorization to build a seed bank that necessitated acquisition of the Brazil Ranch.

It appears that the 1,200 acre Brazil Ranch was acquired by the Forest Service without lawful authority, three miles outside the national forest. A substantial portion of the money used to acquire the ranch was from the L&WCF.

Moreover, though the Forest Service used almost \$18 million of L&WCF money to purchase the Brazil Ranch (see the 2002 Bixby/Brazil Ranch acquisitions in Exhibit 3), it appears that TPL was paid substantially more for the ranch — my understanding is TPL was paid about \$28 million — and possibly received more in the form of a donation from the investment fund, Woodside Partners, which purchased the ranch from the Funt estate, and for which it appears TPL effectively acted as a conduit by purchasing the ranch from Woodside then selling the ranch

to the Forest Service. My understanding is that the California Coastal Conservancy provided \$5 million toward the purchase price, and an anonymous donor provided another \$2 million. These additional dollars that were paid for the ranch, not appropriated by Congress, appear to have violated federal appropriation policy unless Congress provided specific statutory authority for the additional money to be used for the acquisition.

In its Red Book, GAO states,

As a general proposition, an agency may not augment its appropriations from outside sources without specific statutory authority. ... Restated, the objective of the rule against augmentation of appropriations is to prevent a government agency from undercutting the congressional power of the purse by circuitously exceeding the amount Congress has appropriated for that activity.

((GAO, Principles of Federal Appropriations Law (Red Book), Third Edition, Volume II, page 6-162 through 6-163.)

In a further attempt to augment its appropriations, after it acquired the Brazil Ranch, saying it does not have sufficient money to maintain the Brazil Ranch, the Forest Service applied to the California Coastal Commission for a consistency determination pursuant to the federal Coastal Zone Management Act, so it could make money by renting the Brazil Ranch for weddings, retreats and other events. Here is a link to a Forest Service sales brochure on its website <http://goo.gl/LmwJdA>. Here is a link to a consistency determination staff report on the Coastal Commission's website. <http://www.coastal.ca.gov/cd/8-2005-Th7c.pdf>

After much controversy over the Forest Service competing with local businesses with a business funded with tax dollars, the Forest Service dropped that plan, though there are rumors it continues to look for a way to commercialize the Brazil Ranch.

Another fabrication of acquisition authority appears to be the Lange parcel. The Lange parcel now forms the northwest corner of the Lost Padres National Forest. Before it was acquired it was outside the Los Padres National Forest.

The Lange parcel was acquired by the Forest Service about 1993, after the owner gave it up as part of requirements by Monterey County in exchange for a permit for construction of a road on private land. The Supreme Court has called this kind of permit requirement extortion and an unconstitutional condition, see *Nollan v. California Coastal Commission* (1987) 483 U.S. 825, 837; *Koontz v. St. Johns River Water Mgmt. Dist.* (2013) 133 S. Ct. 2586, 2590, 2595-2597, 2603.

Though all of the functions of the NFRC were transferred to the Secretary of Agriculture by the National Forest Management Act of 1976 (as discussed above), the Secretary of Agriculture is still required to fulfill the role of the NFRC, which is "... created and authorized to consider and pass upon such lands as may be recommended for purchase as provided in section six of this Act." (36 Stat. 962.) The provisions of section six are codified at 16 USC § 515, and are not met on the Lange parcel.

Creation of a purchase unit in the area where the Lange parcel is located, Twin Peaks, is noticed in the Federal Register at Vol. 60, No. 59, March 28, 1995, pg. 15897. However, that appears to be dated after the acquisition. Moreover, the purchase unit is not in an area that meets the requirements of the Weeks Act as discussed above. The purchase unit appears to be a fabrication to feign authority to acquire the Lange parcel.

The Lange parcel was also not acquired with authority from the Act of 1956, as the acquisition was not necessary to carry out the Forest Service's authorized work comparable with the example of the need to acquire land on which to build an authorized seed bank. (7 USC § 428a(a).)

It appears that none of the Forest Service's acquisition authorities apply to the Lange parcel. It is not forested, cut-over, or denuded, is not within the watershed of a navigable stream, and was not purchased due to being necessary to the regulation of the flow of navigable streams or for the production of timber (as authorized by the Weeks Act as codified at 16 USC § 515), or to provide land for authorized work (as authorized by the Act of 1956 as codified at 7 USC § 428a(a)).

A recent acquisition, within the last several months, which also appears to be unauthorized by Congress, is the 120-acre Parrott parcel.

A Forest Service official told me that the Parrott acquisition will be designated as wilderness, apparently administratively. The Parrott parcel is shown in some Forest Service GIS shape files as being outside the boundary of the Los Padres National Forest, and is consistently shown as being outside wilderness (it has wilderness outside three of its parcel lines, and private land outside the national forest and outside wilderness on its north line, being a notch in the perimeter of the forest).

The Parrott parcel is located on Hennicksons Ridge, and is crossed by about 3,000 feet of historic firebreak that in the past has been used to protect at-risk communities outside the Los Padres National Forest from wildfires that start inside the forest, for example, the 1977 Marble Cone Fire (about 178,000 acres), the 1999 Kirk Complex Fire (about 86,700 acres), and the 2008 Basin Complex Fire (about 163,000 acres).

Ownership of land by the Forest Service, especially where it is designated wilderness, and especially in fire-prone western states, threatens lives and homes in nearby communities if the Forest Service does not maintain effective fuelbreaks before fires, and/or does not open firebreaks in a timely manner during wildfires.

During the 2008 Basin Complex Fire delays opening the historic firebreak inside the Los Padres National Forest due to 2002 wilderness additions almost resulted in our community of hundreds of homes being burned out. I touch on that below, and intend to submit more detailed testimony on that issue for the Committee's May 5, 2015 hearing on *"the Federal government's role in wildfire management, the impact of fires on communities, and potential improvements to be made in fire operations."*

The Forest Service's statutory authority to acquire land is fairly characterized as a mess, due to amendments to statutes upon amendments to statutes that make it effectively impossible for the average person, and possibly the average member of Congress, to know whether the Forest Service has lawful authority to acquire a particular parcel of land or not. That lack of clarity enables the Forest Service to fabricate authority to acquire private land without being questioned.

What is clear however, is that the Forest Service has managed to turn the L&WCF into something that is contrary to the original intent of Congress. The L&WCF has become a funding source for what Senator Church called offensive federal land grabs, including in the western states, west of the 100th meridian where much land is already owned by the federal government.

Congress should let the L&WCF sunset and repeal all land acquisition authority for the Forest Service and other federal agencies, especially for areas west of the 100th meridian, and provide new highly limited authority for the Forest Service to acquire land if there is a critical need east of the 100th meridian, with Congressional oversight over every acquisition.

All acquisitions west of the 100th meridian should be disfavored, and require special legislation in each case, with field hearings in affected communities.

The Forest Service's refrain that it needs to have the ability to acquire land inside the boundaries of national forests for management purposes is belied by its acquisition of the Brazil Ranch three miles outside the Los Padres National Forest, and its subsequent purchase of additional land outside the forest between the Brazil Ranch and the historic boundary of the national forest, and in other areas.

The Forest Service's drive to acquire private land is contrary to the original intent of President Roosevelt's proclamation creating the Monterey Forest Reserve. By Presidential proclamation, he declared the area to be off limits to further settlement, but exempted from the force of the proclamation any homestead or other legitimate claim to land within the area. I have included a highlighted copy of President Roosevelt's proclamation, dated June 25, 1906 as Exhibit 4.

Perhaps the GAO could conduct a review of Forest Service land acquisitions to learn the percentage of acquisitions that have been falsely based upon authority that did not apply.

In the meantime, to avoid the temptation to continue federal acquisition of private land fostered by the pot of money that is the L&WCF, and to avoid ongoing acquisitions of land contrary to the intent of Congress, and to avoid further increase in the threat of wildfires to communities around federal lands, all current acquisition authorities for the Forest Service and other federal agencies should be repealed, certainly for areas west of the 100th meridian.

2. The L&WCF fosters the appearance of a conflict of interest between federal agencies in their role being responsible for fighting wildfires and their role with the apparent desire to acquire ever more private land.

For the Forest Service and other federal agencies to have both authority to acquire land, and responsibility for fighting wildfires, creates an appearance of a conflict of interest, as land values can drop dramatically if wildfires burn through areas where the Forest Service or other federal agency has shown an interest in acquiring land.

This is especially so in the western states, where wildfire danger is high and so much land is already in federal ownership, which the Forest Service and other federal agencies seem to be driven to expand.

Here is a link to a youtube video by a person who believes the Bureau of Land Management (BLM) intentionally worked to burn out landowners in the Frenchglen area in Oregon.
<https://goo.gl/TdZ9SS>

When I emailed the person who made the video, he responded by saying that BLM had offered to buy his land several times, and when he said it was not for sale, "... their exact response was, it will be." As for fire, he emailed, "They [BLM] now take advantage of what would normally be small and insignificant fire events and turn them into mega events."

This appearance of conflict of interest should be removed, by letting the L&WCF sunset, and repealing all authorities for the Forest Service and other agencies to acquire land, especially in the western states west of the 100th meridian, in which there are already vast areas of federal lands, and which are subject to high threat of wildfire every fire season.

3. The L&WCF acts to increase the threat of wildfires to lives and property in communities near federal land, especially where land is acquired and wilderness is designated near or over topographically suitable locations for firebreaks and/or fuelbreaks, and/or along roads used for ingress or egress during wildfires.

I plan to submit detailed testimony on this problem for the Committee's hearing on *the Federal government's role in wildfire management, the impact of fires on communities, and potential improvements to be made in fire operations*.

For this testimony on the L&WCF, I do not have the ability to determine the impact on the ability to maintain fuelbreaks before fires, and open firebreaks during fires, for each parcel acquired with L&WCF dollars.

However, if the recent acquisition of the 120-acre Parrott parcel was funded with L&WCF money, and if it will be designated wilderness as has been stated by a Forest Service official, then the Parrott acquisition is an example of a L&WCF acquisition by the Forest Service that will act to threaten lives and property in communities near federal land in the event of wildfire.

The Parrott property is crossed by about 3,000 feet of historic firebreak that was opened to protect communities during the 1977 Marble Cone Fire, the 1999 Kirk Complex Fire, and the 2008 Basin Complex Fire, all of which were started by lightning inside the Monterey Ranger District of the Los Padres National Forest.

Being private land outside wilderness and apparently outside the national forest, there could have been no problems caused by wilderness designation opening the firebreak on the Parrott parcel during those fires.

However, during the Basin Fire in 2008, there were delays in multiple locations on obtaining authorization to use heavy equipment to open firebreaks in wilderness.

In the area where we live, authorization to use heavy equipment in wilderness to open the historic firebreak was either not requested, or not obtained, allowing the Basin Fire to burn over the historic firebreak in the location of the 2002 Little Sur wilderness addition and head toward our community with hundreds of homes.

I have been told by a fire chief, and by a heavy equipment operator who worked on the Basin Fire, that there were delays obtaining permission to use heavy equipment in wilderness in other areas, causing similar problems.

In my opinion, every acquisition of land by federal agencies in locations topographically suitable for a fuelbreak or firebreak is a threat to surrounding communities, to the extent that wilderness, the National Environmental Policy Act or any other federal law hinders or blocks maintenance of effective fuelbreaks before fires or use of firebreaks in a timely manner during fires.

Given that the L&WCF helps make federal acquisition of such land possible, and to the extent fuelbreaks are not maintained before fires and firebreaks are not opened during fires in a timely manner, the L&WCF is effectively a threat to lives and property in communities near federal land.

4. The L&WCF acts to increase multiple threats to our national security should terrorists choose to exploit them

First terrorist threat increased by federal acquisition and ownership of land.

May 31, 2012 the Department of Homeland Security (DHS) issued a document titled "Terrorist Interest in Using Fire as a Weapon."

The document includes information on terrorist magazines and websites on such topics as how to construct incendiary devices to start wildfires, a terrorist map that shows priority states where wildfires in the United States would be most destructive, naming California and Montana as ideal targets, and statements encouraging the setting of wildfires to attack the United States.

The DHS document explains that using wildfire as a weapon is attractive to terrorists due to the low cost to start a wildfire, the low probability the terrorist will be caught, the high cost and damage to property and resources that can be caused, and the threat to lives and psychological effects wildfire can inflict, saying for example,

For terrorists, setting fires has several advantages over other methods of attack, including sustainability (duration of fire and long-term effects); the potential for casualties, economic damage, and wide media coverage; and the accompanying psychological effects of fear and terror.

When the Forest Service or other federal agency owns or acquires land on which firebreaks and fuelbreaks are located or topographically suited for such use, and then fails to maintain effective fuelbreaks before fire, or fails to swiftly open firebreaks during fire, the Forest Service would literally be aiding and abetting any terrorist who may act to use wildfire as a weapon against our nation.

When Congress acts to block federal agencies such as the Forest Service from preparing for or defending against wildfires, by such actions as moving wilderness over the location of fuelbreaks and firebreaks or by leaving wilderness in place, or by enacting or retaining other laws that hinder or block federal land managers from constructing and maintaining fuelbreaks or using firebreaks, Congress would literally be aiding and abetting any terrorist who may act to use wildfire as a weapon against our nation.

In Monterey County, California, both the Forest Service and Congress have so acted, leaving people in communities around the Los Padres National Forest in jeopardy should terrorists decide to use wildfire to attack, as suggested in their magazines and on their websites.

Second terrorist threat increased by federal acquisition and ownership of land.

There is a belief among some environmentalists that the solution to impacts humans have on our planet is to concentrate people into the footprint of existing cities at ever higher density. Search the Internet for the term "smart growth" and you will receive well over one millions hits. Until recently, the Sierra Club had a "Healthy Growth Calculator" web page that apparently tried to convince people that living at higher density is desirable. (<http://tinyurl.com/lox4fc2>)

Though some government employees may be able to live on land owned by the federal government, other people typically cannot. One way to move people into cities is to convert private land outside cities into government ownership. There are organizations working on that, some of which have turned it into a profitable business.

For example, there is TPL, discussed in this testimony.

Another example is an organization called the Planning and Conservation League, which has convinced California voters to approve bond initiatives that have provided well over a billion dollars for public agencies to acquire private land. You can read how it funds its initiatives in *Planning & Conservation League, Inc. v. Lungren* (1995) 38 Cal. App. 4th 497.

As more voters move into cities, with their daily experience of concrete, asphalt and smog, it becomes easier to convince the majority of voters to support acquisition of more land by government agencies, to save it from the fate of where they live in the city. My experience is that most people who live in cities think that a much higher percentage of land is covered by cities than in reality is so.

California's population of about 38.8 million people makes up about 12% of the 318.9 million population of our nation.

California consists of about 100 million acres of land. Currently, about 95% of Californians live in cities, which comprise about 6% of California's land area. This is largely because there is relatively little land available outside cities for Californians to own and live on.

Almost half of California is owned by various government agencies, most by federal agencies, and therefore cannot be owned or lived on by most Californians.

It is difficult to find hard numbers for land ownership in California by industry, but years ago I found what numbers I could and learned that after subtracting land owned by government, public utilities, lumber companies, railroads, and farmland, it appears that only about 10% of California's land area, outside of cities, is available for Californians to own and live on.

Every acre of that nominal amount of land available for Californians to own and live on outside cities that is acquired by government agencies, including federal agencies, tends to move people into cities at higher density.

Unfortunately, we live in a world with religious extremists who believe it is an act of their faith to kill those who are not members of their faith. Our world also includes weapons of mass destruction. These extremists have been following their belief system for over 1,000 years. They are not going away. They have made their intent crystal clear. 1,000 years ago the world did not have weapons with the capacity for destruction we have today. The day will likely come, possibly sooner, hopefully later, when they will obtain weapons of mass destruction.

Mutually assured destruction, the defense tactic used for decades with the former Soviet Union, is not applicable to religious extremists. We don't know where to find them, and even if we could find them, they view it as an act of their faith to be killed while advancing their cause, which is to kill those who do not follow their faith. When they obtain weapons of mass destruction they will likely use them.

Weapons of mass destruction are highly effective at killing people who are packed at high density into relatively small areas.

Without the defense of mutually assured destruction, short of intercepting 100% of weapons of mass destruction before they enter our country, the best national defense tactic to defeat weapons of mass destruction is to disperse our populations over large areas at relatively low

density. High density cities with large populations are equivalent to prime target zones for weapons of mass destruction.

The federal government should be selling or granting land into private ownership in California and other western states, where it owns vast areas, making it available for people to disperse onto. It will take much time to disperse our populations. It is not prudent to wait until it is too late.

Federal acquisition of yet more land is counterproductive to our nation's defense against weapons of mass destruction in the hands of religious extremists, and ultimately will aid them should the time come when they attack our nation with weapons of mass destruction, which is readily foreseeable over time.

I believe there are people, radical environmentalists, who would not be bothered if the number of humans was reduced dramatically by such cataclysmic events as use of weapons of mass destruction on densely populated areas. My take is that those people could easily be the vanguard of the next great evil on our planet. They should not be helped, certainly not by our government.

5. The L&WCF fosters fraud on American taxpayers

Money made available through the L&WCF fosters fraud on American taxpayers.

To justify acquisition of the Brazil Ranch, discussed above, statements like the following were made to the public, which appeared on the Trust for Public Land's website in 2002,

"This is a great day for the environment and a great day for the Central Coast," said Congressman Farr. "Working together, the Trust for Public Land and the federal government have protected this stunning coastal treasure from being chopped into little subdivisions.

Exhibit 5 is a screenshot of TPL's web page from Google's cache of web pages, with the above quote (the page was on TPL's website as of this writing).

I believe that Congressman Farr, TPL and the Forest Service all knew that the Brazil Ranch was not in danger of being "chopped into little subdivisions." Rather, the 1,200 acre ranch had been in 9 separate parcels since the time it was homesteaded in the mid-1800s.

Below is an excerpt from a 2005 California Coastal Commission report on a Forest Service request for a consistency determination, in which the Forest Service is quoted as saying,

The lands comprising today's Brazil Ranch were homesteaded in the mid-1800s, including a parcel settled by John Brazil. In time, several of these early homesteads were sold to the Brazil family, who eventually gained title to nine original homestead lots comprising 1,200 acres and known collectively as the Brazil Ranch. ... The property was later sold by the Funt Estate to a real estate

developer who had learned that the original homesteads remained recorded as nine separate tax lots which could potentially be developed. (Italics removed.)

(See, <http://www.coastal.ca.gov/cd/8-2005-Th7c.pdf>, page 6.)

Due to local ordinances, building potential for the 1,200 acre ranch was one residence per parcel, for a total of 9 residences on the 1,200 acre ranch. However, 2 parcels already had homes on them. As a result, building potential was for 7 more residences on the 1,200 acre ranch. Due to the minimum subdivision parcel size of 320 acres for most of the land on the ranch, subdivision was essentially impossible, certainly impossible for "little subdivisions."

The Brazil Ranch was on the market for years by Alan Funt's heirs for about \$9.5 million. My understanding is that Woodside Partners purchased it for about that price. According to a local newspaper article, Woodside quickly sold an existing small parcel with one of the homes on it for about \$7.5 million. My understanding is that Woodside then sold the ranch to TPL for \$25 million, and about a year later TPL sold the ranch to the Forest Service receiving \$28 million. My understanding is that "conservation" groups like TPL sometime receive donations from people they helped sell land to government agencies, so it appears to me that TPL may have received more money in the form of a donation from Woodside as a result of the deal.

Given the millions of dollars made by Woodside Partners and the Trust For Public Land on the sale of the Brazil Ranch to the Forest Service, and the minimal development potential for the ranch that was falsely promoted as being acquired to prevent it from being chopped into little subdivisions, it looks to me like the primary reason for the acquisition was the money to be made from the sale of the ranch to the Forest Service. Those millions of dollars came from American taxpayers.

To me, the Brazil Ranch acquisition looks like fraud on American taxpayers, funded in large part by L&WCF dollars.

Conclusion

For the reasons discussed above, the L&WCF should be allowed to sunset and not be reauthorized. In its place new law should be enacted to repeal all existing land acquisition authorities for federal agencies, remove wilderness with generous setbacks from the location of historic fuelbreaks and firebreaks and from all locations topographically suitable for such use, and to provide broad authority for federal agencies to sell and grant federal lands in western states to encourage dispersal of our populations at relatively low density to help make our nation more resistant to attacks by weapons of mass destruction.

Rather than reauthorizing the L&WCF, new legislation should be enacted with a different name and purpose, perhaps *The Existing Federal Lands Care and Maintenance Funding Act of 2015*, or better yet, *The Act to Provide for Management and Disposal of Federal Lands to Protect Communities and Promote National Security*.

These proposed changes to law are especially important in the western states, where vast areas are already in federal ownership and the threat from wildfires is high.

These proposed changes are critical in California, where about half the land is in government ownership, mostly federal, about 12% of the U.S. population currently lives in cities on about 6% of California's land, and relatively little other land is available to disperse our populations onto due to it being in use for commercial purposes.

There is no club whose mission is to promote the security of our nation. Promoting protection of lives, property, and the security of our nation is properly the role of Congress, which I hope is not swayed to do otherwise by those with other priorities.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Mike Caplin", with a stylized flourish at the end.

Michael Caplin
38751 Palo Colorado Rd.
Carmel, CA 93923

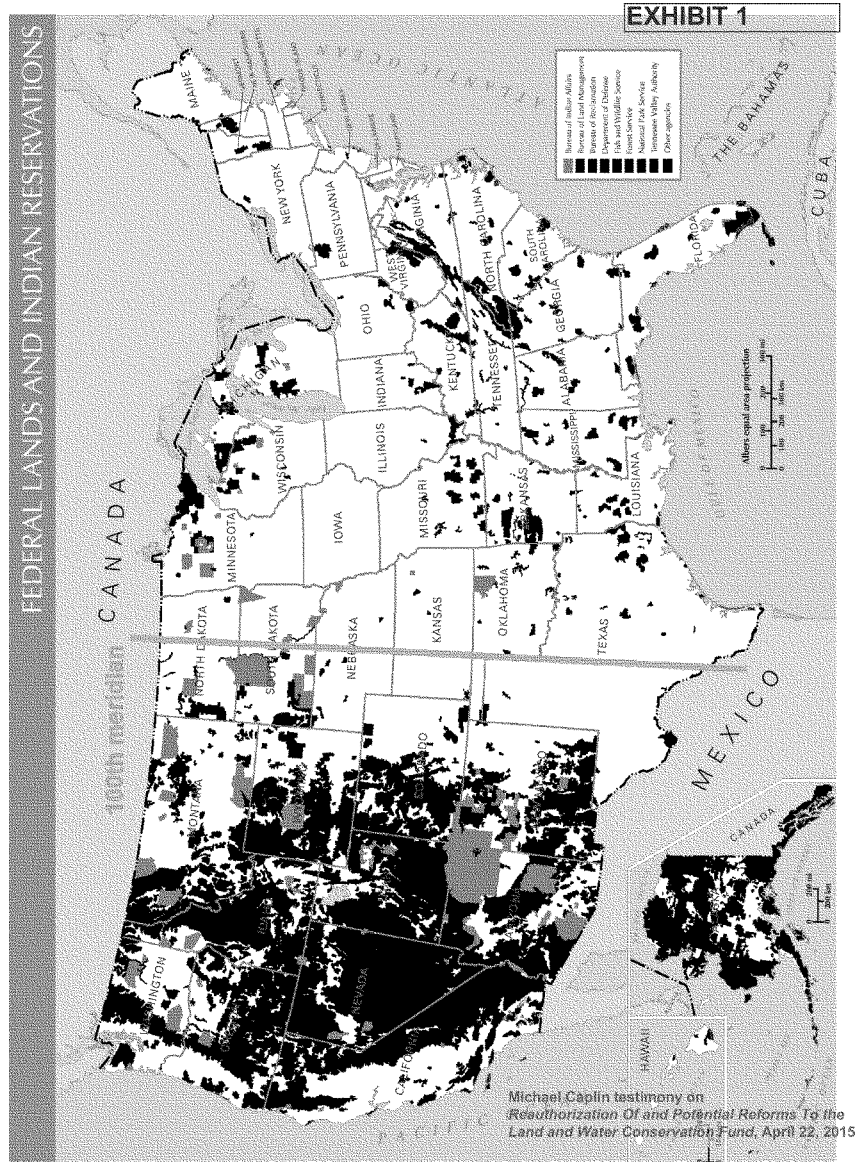


EXHIBIT 2

ALAN CRANSTON
CALIFORNIA

United States Senate

WASHINGTON, D.C. 20510

January 28, 1980

Dear Colleague,

When the Senate takes up H.R. 3757, the Omnibus Parks Bill, I intend to offer an amendment to help protect the incredibly beautiful Big Sur coast of California.

Currently there is a 3000 acre limitation on the total amount of land which the Forest Service can add to the Los Padres National Forest. Although the Forest Service is still within the statutory limit on expansion of the Los Padres, the Forest Service is not able to acquire -- or even accept as a gift -- some very desirable parcels along the coast because they are very large and would immediately put the forest over the acreage limitation. My amendment would remove the 3000 acre limit. It does not require the expenditure of federal funds, and it does not authorize any new monies.

I am only proposing that the cap on Los Padres National Forest additions be lifted so that the Forest Service can accept donations of Big Sur lands. This is a stop gap measure to allow for Forest Service acquisition during a period when other proposals to protect Big Sur may be considered.

The pressures for the breakup of the large landholdings along the Big Sur coast are growing. I anticipate that in the very near future there will be properties on the market which it would be in the public interest to acquire. Property owners at Big Sur may wish to make gifts or bargain sales to the federal government. It makes no sense to put an arbitrary limit on the amount of Big Sur land the Forest Service can acquire in this fashion.

The argument has been made that there should be hearings on Big Sur, and I agree. Hearings should be held on possible national park or seashore designation. But the amendment I will offer merely waives an arbitrary rule, and I see no great need for a hearing on whether to permit donations of Big Sur lands to the government and expansion of the Los Padres Forest in the interim.

I hope that I will have your support on this amendment. It is important to me and to all who know Big Sur and want to preserve it as it is today.

Sincerely,


 Alan Cranston

Michael Caplin testimony on
 Reauthorization Of and Potential Reforms To the
 Land and Water Conservation Fund, April 22, 2015

EXHIBIT 3

USDA Forest Service, Region 5, Los Padres National Forest
 LAND & WATER CONSERVATION FUND (LWCF) ACT PURCHASE PROGRAM 1965-2005
 Acres Purchased "Outside" LPNF Boundary

YEAR	GRANTOR	PURCHASE PRICE	TOTAL ACRES	ACRES OUTSIDE	LOCATION	REMARKS
	TPL = Trust for Public Lands				All parcels within Mount Diablo Baseline & Meridian (MOM)	PU = Purchase Unit
1967	Rigdon/Silva	35,000	9.74	9.74	T23S,R6E, Lot 3, Sec 18	Mining claim on coast
1986	Schaeffer/TPL	147,000	84.00	84.00	T22S,R5E, Sec 29	Mill Creek
1986	Post/TPL	750,000	437.00	290.00	T19S,R2E, Sec 33, 34	Partly in Ventana Wilderness, parcel inside/outside boundary (estimated acres)
1987	Hathaway/TPL	2,300,000	1,179.0	535.00	T20S,R2E, Sec 10, 14	Sycamore Beach PU request, parcel inside/outside boundary
1992	Sur Sur Assoc I/TPL	195,000	65.00	65.00	T24S,R6E, Sec 33	Sur Sur PU, Silver Pk Wilderness
1993	Sur Sur Assoc II/TPL	1,965,000	655.00	655.00	T24S,R6E, & T25S,R6E	Sur Sur PU, Silver Pk Wilderness
1994	Sur Sur Assoc II/TPL	2,247,000	749.00	749.00	T25S,R6E, Sec 3, 4, 5, 9	Sur Sur PU, Silver Pk Wilderness
1995	Sur Sur Assoc IV/TPL	735,000	245.00	245.00	T24S,R6E, Sec 33	Sur Sur PU, by Silver Pk Wilderness
1995	Cozy Cove II/TPL	1,259,500	229.00	149.00	T24S,R6E, Sec 31, 32	Sur Sur Addition PU, partly in Silver Pk Wilderness, parcel inside/outside boundary
1996	Cozy Cove II/TPL	210,500	38.00	38.00	T24S,R6E, Sec 31, 32	Sur Sur Addition PU, by Silver Pk Wilderness
1999	Sea Vista Ranch/TPL	1,760,000	211.30	211.30	T24S,R6E, Sec 32	Sur Sur Addition PU, adjacent to Silver Pk Wild.
2000	San Carpoforo/TPL	4,550,000	783.57	783.57	T25S,R6E, Sec 4, 10, 15, 16	Sur Sur Addition (San Carpoforo) PU request
2002	Cypress Point	190,000	6.00	6.00	T24S,R6E, Sec 9	Cypress Point PU request
2002	Bixby I/TPL (Brazil Ranch)	12,800,000	840.00	840.00	T19S,R1E, Sec 17-21	Bixby I, II, III-Combination purchase/donation
2002	Bixby I & II/TPL	Donation	275.97	0	T19S,R1E, Sec 17-21	
2002	Bixby II/TPL	5,000,000	160.00	160.00	T19S,R1E, Sec 17-21	
2002	Bixby III/TPL	Donation	143.00	0	T19S,R1E, Sec 17-21	
Total			5910.58	4620.61		

Note: Purchase Units are approved by the Secretary of Agriculture and published in the Federal Register. The Land and Water Conservation Fund Act of 1965 refers to purchase units in Section 7(a)(1). Forest Service Manual 5451.3 states "National Forest boundaries will be designated to replace existing purchase units."

June 25, 1906.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Monterey Forest
Reserve, Cal.
Preamble.
Vol. 28, p. 1103.

WHEREAS, it is provided by section twenty-four of the act of Congress, approved March third, eighteen hundred and ninety-one, entitled, "An act to repeal timber-culture laws, and for other purposes," "That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof";

And whereas, the public lands, in the State of California, which are hereinafter indicated, are in part covered with timber, and it appears that the public good would be promoted by setting apart said lands as a public reservation;

Forest reserve,
California.

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power in me vested by section twenty-four of the aforesaid act of Congress, do proclaim that there are hereby reserved from entry or settlement and set apart as a Public Reservation, for the use and benefit of the people, all the tracts of land, in the State of California, shown as the Monterey Forest Reserve on the diagram forming a part hereof;

Lands excepted.

Excepting from the force and effect of this proclamation all lands which may have been, prior to the date hereof, embraced in any legal entry or covered by any lawful filing duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired: *Provided*, that this exception shall not continue to apply to any particular tract of land unless the entryman, settler, or claimant continues to comply with the law under which the entry, filing, or settlement was made.

Reserved from
settlement.

Warning is hereby expressly given to all persons not to make settlement upon the lands reserved by this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 25th day of June, in the year of our Lord one thousand nine hundred and six, and of the Independence of the United States the one hundred and thirtieth.

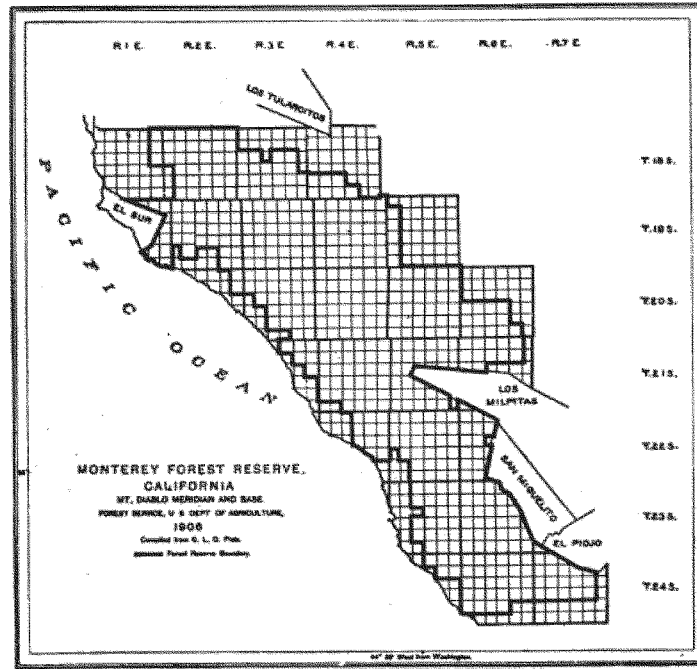
By the President:

ROBERT BACON

Acting Secretary of State.

THEODORE ROOSEVELT

EXHIBIT 4, PG 2




VOL. XXXIV, PT. 3—28

This is Google's cache of <https://www.tpl.org/media-room/big-sur-coastland-protected-ca>. It is a snapshot of the page as it appeared on Apr 1, 2019 22:56:21 GMT. The current page could have changed in the meantime. [Learn more](#).

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Big Sur Coastland Protected (CA)

September 24, 2002
California

SAN FRANCISCO, 9/24/02—The Trust for Public Land and the USDA Forest Service announced today the public acquisition and addition to the Los Padres National Forest of the final 325 acres of the most beloved and photographed section of the Big Sur Coast—the historic Brazil Ranch, also known as the Bixby Ocean Ranch. The 1255-acre ranch, 13 miles south of Carmel, would have been split into nine separate properties and sold for development if it had not been purchased last year by the nonprofit Trust for Public Land (TPL). TPL purchased this Big Sur coastal gem, easily identified by the historic Bixby Bridge on Highway 1, to protect it from looming development and safeguard its sweeping views, rocky shoreline, and magnificent rolling hills.

Federal funding for the acquisition was obtained through the efforts of Senator Dianne Feinstein, Senator Barbara Boxer, and Congressman Sam Farr, (D-Carmel). "This is a great day for the environment and a great day for the Central Coast," said Congressman Farr. "Working together, the Trust for Public Land and the federal government have protected this stunning coastal treasure from being chopped into little subdivisions. Now future generations can enjoy the jagged coastline and the dramatic vistas, just as we do." Congressman Farr is a longtime advocate for the protection of the Big Sur Coast, and a key member of the House Appropriations Committee. Senator Feinstein also played a vital role as a senior member of the Senate Interior Appropriations Subcommittee, which oversees funding for federal land conservation.

"TPL is delighted to continue its partnership with the Forest Service to promote the care of this majestic property," says Reed Holderman, Executive Director, TPL-California. "We are very thankful for the \$2.5 million gift from a benevolent anonymous donor, generous grants made by the state Coastal Conservancy and the Wildlife Conservation Board, the federal Land and Water Conservation Fund monies, and a low-interest bridge loan from the David and Lucile Packard Foundation, and, all of which made this conservation success possible. We are especially grateful for the support of U.S. Congressman Sam Farr, Senator

Dianne Feinstein, Senator Boxer, state Senator Bruce McPherson, and Assembly Speaker pro Tempore Fred Keeley."

The Brazil Ranch is named for the pioneer family that worked the land for nearly a century as a farm, ranch, and dairy operation. Allen Funt of Candid Camera fame purchased the land from Tony and Margaret Brazil in 1977 and operated it as a cattle ranch and horse breeding facility until Woodside Partners, prospective developers, bought the property in 2000. In October of that year, TPL stepped in to keep this prime real estate off the market and secure funding for its public purchase. The Forest Service acquired 930 acres of the property from TPL in February of this year. Today's completion of the ranch purchase creates an 11-mile stretch of permanently protected coastline beginning at the Bixby Bridge, extending south through Andrew Molera State Park, and bordering the offshore California Sea Otter State Game Refuge.

Senator McPherson and Assemblyman Keeley co-authored a request for \$5 million that was allocated to the California Coastal Conservancy for the Brazil Ranch purchase.

"The Brazil Ranch is an environmental and recreational jewel. I am thrilled to have helped protect this property for future generations," comments state Senator Bruce McPherson (R-Santa Cruz).

"The Brazil Ranch acquisition is the product of hard work by all the parties involved. It is critical, especially in this era of budgetary constraints, to work together to save California's special places. Big Sur is one of those places that deserves our whole-hearted efforts to conserve," said Assembly Speaker pro Tempore Fred Keeley (D-Boulder Creek).

The Forest Service and the Trust for Public Land will continue working in partnership over the coming months, along with members of the public, to develop a vision for the property that integrates community values with the land's unique natural and cultural resources.

"The Brazil Ranch is a special place where history, beauty and spirituality merge," said Los Padres National Forest Supervisor Jeanine Derby. "Protecting those qualities is very important to us, and to that end we will work with local stakeholders on a vision for future stewardship of the land. One concept we plan to explore is a way of melding science, resource conservation and the arts to help enhance people's experience, understanding and appreciation for the Big Sur coast," she added.

According to Monterey District Ranger John Bradford, the Forest Service is currently involved in a public process to revise the overall management plan for the 1.75 million-acre national forest. "The Forest Plan will address appropriate access and uses of all of the acquired lands within the Big Sur area, including the Brazil Ranch," said Bradford. "We welcome the public's participation in this effort," he added.

In the short term, John Moon, who has lived and worked on the Brazil Ranch since the time it was owned by the Funts, will continue as on-site caretaker of the property. "My family and I have been dedicated stewards of this ranch for over 25 years. We feel privileged to be able to continue our commitment to this unique property with TPL and the Forest Service," said Moon.

EXHIBIT 5, PG. 3

For more information about interim management of the Brazil Ranch, contact John Bradford at (831) 385-5434. For more information about Los Padres National Forest and opportunities to be involved in the land management planning process, visit www.r5.fs.fed.us/lospadres or contact the Los Padres National Forest Public Affairs Office at (805) 968-6640.

TPL is a national land conservation organization dedicated to conserving land for people as parks, greenways, wilderness areas and natural, historic and cultural resources for future generations. Founded in 1972, TPL has protected more than 1.4 million acres nationwide. For more than 20 years, TPL has worked with the Big Sur Land Trust and other organizations to protect more than 6,000 acres of California's pristine Big Sur coastline.

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Where we work

Working from more than 30 offices nationwide, The Trust for Public Land offers a range of services to meet the conservation needs of the 21st century. We help communities raise funds, conduct research and planning, acquire and protect land, and design and renovate parks, playgrounds, trails, and gardens.



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Catalyst Wilderness Therapy Program
1815 SE 35th Ave., Portland, OR 97214
Phone: (541) 514-0561
Visit: www.CatalystWilderness.org
Email: Bri@Catalystwilderness.org
EIN: 46-2455934

April 17, 2015

The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

I wanted to write a letter of my support for the numerous efforts being made to assist in the sustainability of our Land and Water Conservation Fund (LWCF), despite pressure to re-arrange funds and allocate elsewhere. LWCF was created nearly 50 years ago to serve different, diverse and equally critical needs and to provide a permanent investment in conservation and outdoor recreation on behalf of the American people. There was a tremendous amount of foresight applied to the creation and purpose of this fund from the onset, designed to counteract future pressures.

Catalyst Wilderness Therapy Program is a non-profit wilderness therapy organization dedicated to serving teenagers in the foster care system via highly specialized backcountry settings in the Pacific Northwest. LWCF is a key tool for provide access to public lands and for protecting special places. In Washington, LWCF has invested more than \$500 million in places like Olympic National Park, Pacific Crest Trail, and Alpine Lakes Wilderness. In Oregon, it has invested more than \$300 million in places like Mount Hood National Forest, Three Sisters Wilderness, and the remote Steens Mountain.

Unfortunately, LWCF expires in September 2015. In addition, each year Congress siphons off millions of dollars of the fund into unrelated projects, to the tune of \$17 billion over the program's 50-year history. We need Congress to reauthorize and fully fund this program so it can continue as intended, providing parks, public lands and outdoor recreation for all Americans, including the most marginalized among us.

Sincerely,

Brianne Condon, Executive Director
Catalyst Wilderness Therapy Program

cc. Senator Ron Wyden



CH2M HILL
2020 SW Fourth Avenue
Suite 300
Portland, OR 97201 USA
Tel 503.224.6040
Fax 503.223.1494

August 15, 2014

Senator Ron Wyden
U. S. Senate
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

As a global company with deep Oregon roots, we at CH2M HILL pride ourselves on our commitment to sustainability and the environment. That's why we want to take a moment, Senator, to thank you for your similar commitment. Your leadership on the Land and Water Conservation Fund (LWCF) has truly had a lasting impact on Oregon.

Funds from LWCF have enabled land acquisition programs to protect some of our most scenic vistas, like the rocky outcroppings of Smith Rock State Park and the majesty of Cape Kiwanda. Funds from LWCF have built boat ramps and marinas in Hood River, recreational facilities like swimming pools and tennis courts in Enterprise, park shelters and public restrooms at parks in Grants Pass, and public plazas like Pioneer Courthouse Square in Portland. Every project has been welcomed in its community for its particular benefits: the improved access to recreation, the conservation of natural habitat, the preservation of unspoiled beauty.

With our engineering expertise, CH2M HILL endeavors to "solve the world's complex problems in water, energy, the environment and development by promoting economic growth and social inclusion." We recognize that monies from LWCF also promote economic growth, by employing engineering firms like ours, construction workers, facility managers, and the many adjunct businesses that arise from recreational opportunities to serve both local residents and tourists alike.

In short, LWCF provides multi-faceted benefits to Oregonians in every corner of this stunning state, and your leadership in support of LWCF is truly appreciated. Thank you.

Sincerely,

David Knowles
Portland Area Manager
CH2M HILL

ARCHITECTS ENGINEERS CONSTRUCTORS FACILITY SERVICES



November 4, 2014

Senator Ron Wyden
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

It's always a pleasure to take a moment to appreciate people for their efforts, rather than ask them for something, so I am relishing this opportunity to thank you for your leadership on the Land and Water Conservation Fund (LWCF), which has had such a significant positive impact in the Hillsboro area.

As Mayor, I can say with confidence that LWCF has made a lasting difference to the residents and businesses of the Hillsboro area. Renovations completed at Shute Park is a great example of an important improvement funded by LWCF. This facility is always in use, appreciated by Hillsboro residents, and those who spend their working hours in Hillsboro, but might take the time for a lunchtime jog through the park. As I think about it, the construction of Stub Stewart State Park and the Elk Refuge in Jewell are two more standout examples of LWCF funded projects in this region, as are the recreational improvements at nearby Hagg Lake.

Projects like these provide our citizens with more than the opportunity to appreciate nature: they also contribute to the superb quality of life that lures talented people to the economic drivers of the Hillsboro area, like Intel, Genentech, FEI, and SolarWorld. These companies often have to compete nationally, and even globally, for skilled workers and the wonderful outdoor recreation opportunities that have been funded by LWCF help Hillsboro differentiate itself as a highly desirable community to live, work, and play.

In short, LWCF helps the City of Hillsboro live up to our city motto, "Growing great things," -- and I am sincerely grateful for your past and continuing leadership on this much-valued program.

Sincerely,

CITY OF HILLSBORO

A handwritten signature in black ink, appearing to read 'Jerry W. Willey'.
Jerry W. Willey
Mayor



Together. For Oregon's Land.

April 17, 2015

The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
United States Senate
304 Dirksen Senate Building
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Energy and Natural Resources
United States Senate
304 Dirksen Senate Building
Washington, DC 20510

The Honorable Ron Wyden
Member
Committee on Energy and Natural Resources
United States Senate
221 Dirksen Senate Building
Washington, DC 20510

Dear Chairman Murkowski, Ranking Member Cantwell, and Senator Wyden:

The Coalition of Oregon Land Trusts (COLT) thanks you for your conservation leadership and support of **full and dedicated funding and reauthorization of the Land and Water Conservation Fund (LWCF)**. We look forward to hearing the discussion by the Senate Energy and Natural Resources Committee regarding this vital program, one that enables Americans to get outside, visit local parks, and keep working lands working.

Land trusts work with local communities to protect clean water and wildlife habitat, preserve open lands, maintain working farms, and retain the social and economic values that make Oregon special. Collectively, COLT members have permanently conserved more than 300,000 acres of important private conservation lands that provide clear public benefits across the state.

LWCF has become a "toolbox" of essential tools for communities to use to protect their natural resources and quality of life. Through working forest conservation easements, the Forest Legacy Program protects working forests and the jobs and conservation benefits they provide. LWCF also funds collaborative, local efforts to conserve wildlife habitat. And, the LWCF state assistance grant program helps

Blue Mountains Conservancy
Blue Mountain Land Trust
Central Coast Land Conservancy
Columbia Land Trust
Deschutes Land Trust
Friends of the Columbia Gorge Land Trust
Greenbelt Land Trust
Klamath Lake Land Trust
Lower Nehalem Community Trust
McKenzie River Trust
North Coast Land Conservancy
Oregon Rangeland Trust
Southern Oregon Land Conservancy
The Conservation Fund
The Nature Conservancy
The Wetlands Conservancy
The Trust for Public Land
Wallowa Land Trust
Wild Rivers Land Trust



the state and local agencies create and enhance parks and develop close-to-home recreational facilities for all Oregonians.

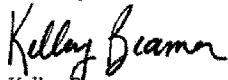
LWCF has helped land trusts in Oregon protect many important places for communities. For example, currently the Wallowa Land Trust is working with Wallowa County to secure LWCF dollars that will prevent homes from being built on shores of the iconic Wallowa Lake, instead keep that land working via forestry, ranching, and recreation.

Far from being broken, LWCF works. Currently, half of LWCF dollars go directly to states for local projects. Every county in Oregon has received LWCF dollars through the state grants program to support playgrounds where kids can play, and fields where they can hit their first T-ball. LWCF projects are driven by local communities, and only the best projects with the most local support make it to the top to compete for funds.

LWCF also makes federal land management more efficient – not less – by allowing federal agencies to fill in gaping holes in our parks, forests, and other public lands. In other words, LWCF helps make park maintenance cost less, not more. For example, LWCF projects in the wildland-urban interface decrease firefighting costs. Land trusts in Oregon frequently partner with federal agencies to forward LWCF projects that help reduce maintenance costs.

LWCF is a shining example of a bipartisan model of government that works to support local communities and local economies. The reforms to LWCF being proposed are based on misperceptions about LWCF and how it is used, and they threaten the promise Congress made to the American people 50 years ago. We strongly urge you and your colleagues to resist the call for counterproductive changes to LWCF as it works its way through the reauthorization process, and instead hold LWCF up as a shining example of an efficient and effective toolbox for every state and county in America to access for community-based conservation, recreation, and historic preservation.

Sincerely,



Kelley Beamer

Executive Director

kelley@oregonlandtrusts.org

office: 503.719.4732

cell: 503.348.9612



December 5, 2014

Senator Ron Wyden
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

As I'm sure you're aware, the mission of Confluence is to connect people to place through art and education. We create spaces that promote moments of insight about the confluence of culture, history and ecology along the Columbia River system. We have now completed four of the six planned sites along the 438 mile stretch of river, from the mouth of the Columbia to the gateway to Hell's Canyon.

As I've traveled along the river, I've come to recognize that other conservation and recreation projects across Oregon and Washington's shared border have enabled access to the mighty Columbia, allowing us to appreciate both its beauty and its riches. I want to take a moment, Senator, to applaud you for your unflagging efforts to reauthorize the Land and Water Conservation Fund, which has made many of those precious sites possible.

From Fort Stevens on the Oregon's north coast to Minam State Park along the Willamette River, LWCF funds have made a difference. Projects large and small -- the Columbia Gorge National Scenic Area and a boat basin in The Dalles -- so many spectacular areas protected and recreational opportunities enhanced for the citizens of the Pacific Northwest, and the many visitors who flock to here to partake in our scenic beauty and learn our history.

Senator Wyden, I know both Oregon and Washington would be diminished without the Land and Water Conservation Fund, and I hope that you will persevere through the lame duck session to see that this truly important piece of legislation is reauthorized by Congress.

Sincerely,

Colin Fogarty
Executive Director



August 13, 2014

Senator Ron Wyden
U. S. Senate
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

As it says on our website, "To us, there's no better feeling than knowing you've made a lasting impact on a place you love." That's why Craft3 would like to take a moment to thank you, Senator. You have made a lasting impact on Oregon -- and the Pacific Northwest, and the nation, for that matter -- with your leadership on the Land and Water Conservation Fund (LWCF).

Craft3 is a nonprofit community development financial institution with a mission to strengthen economic, ecological and family resilience in Pacific Northwest communities. We know that we are making a difference, by providing loans to entrepreneurs, nonprofits, individuals and others who don't normally have access to financing. We are supporting long-term, place-based strategies that link rural and urban communities of the Pacific Northwest. And the millions of dollars that have flowed into Oregon and Washington over the 50 years of LWCF's existence have done the same, creating recreational opportunities for our citizens and visitors, and preserving waterways, wetlands, and forests for our fish and wildlife, our birds and plants and trees.

But the benefits of LWCF dollars extend far beyond environmental impacts. These funds enhance the economic health of the communities where they're invested. The Cape Kiwanda land acquisition in Tillamook County is a perfect example: protection of that stunning point of land has helped spur the development of nearby hotels, RV parks, restaurants and brewpubs, bringing much-needed employment to area where jobs have been scarce.

At Craft3, we are always looking for creative, effective, triple-bottom-line opportunities to achieve our mission. It is programs like LWCF, which we can leverage, that provide a tremendous boost to our success. And it is leaders like you who help us reach our dream of making a lasting impact on a place we love.

Thank you, Senator Wyden, for your ongoing leadership on this very important issue.

Sincerely,

John Berdes
President & CEO
Craft3



LEW FREDERICK
STATE REPRESENTATIVE
 DISTRICT 43

October 15, 2014

Senator Ron Wyden
 221 Dirksen Senate Office Building
 Washington, DC 20510
 Via Fax: (202) 228-2717

911 NE 11th Ave., Suite 630
 Portland, OR, 97232

Dear Senator Wyden,

I know that you've been working diligently to reauthorize the Land and Water Conservation Fund (LWCF) and I thought I'd take just a moment to give you the encouragement and appreciation for your efforts that you so richly deserve.

I read recently of your call to permanently fund LWCF, and I share your passion for this important legislation, which has done so much to "preserve special places in Oregon and across America," as you so eloquently put it.

In Portland alone, LWCF monies have funded recreation improvements at Irving Park and Kelly Point Park, as well as the Swan Island Esplanade, all of which are either in my District, or just a short bike ride away. LWCF dollars have also expanded or improved facilities at Delta Park, Blue Lake Park, Sellwood Riverfront Park, the Leach Botanical Garden, and the Marquam Trail. Each one of these sites is used by thousands of people every year, and I am sure few if any of the many hikers, birdwatchers, gardeners and sports enthusiasts who take advantage of these remarkable public spaces have any idea how they are funded.

LWCF is a critical component in creating the amenities that make life better in cities across the nation, as well as preserving wildlife areas, creating working forests, and protecting wetlands in rural areas of Oregon and these great United States.

I wholeheartedly encourage you to continue your efforts to persuade your colleagues of the value of LWCF, and I thank you for your work.

Sincerely,

Representative Lew Frederick



To Whom It May Concern,

As a current service member, I'd like to take a moment to reflect on why I believe that United States' public lands mean so much to me. Spending time in the national and state parks and forests is a great way to decompress from all the cumulative effects of the stress and hardships that veterans experience during their service. It is also a strong reminder of some of the reasons we, as service members, go and make the sacrifices we do in the service of the nation. It is important for veterans to have access to the serene and recreational landscapes that our nation has to offer.

Being an Oregonian, I personally make time whenever possible to venture off into the national forests and other parks with my family, with my dog and often alone. I find that these excursions center me and keep me refreshed and able to meet the daily challenges I seek out in my professional and personal life. Between hiking, running, camping, fishing, skiing, climbing and a plethora of other outdoor activities I'm not sure what I would do without the great outdoor settings that our vast country offers us.

I recently discovered a program called the Land and Water Conservation Fund. It is such an incredible tool for protecting the lands that I spend time in. Without using a dime of taxpayer dollars, we have been able to not only maintain our beautiful lands but enhance them.

I would certainly encourage you to make sure that this valuable program continues as it has for the last 50+ years and that the funding is available to do just that.

Sincerely,

2LT Timothy Marr
Engineer Officer
Oregon National Guard
Hillsboro, Oregon

600 NE Grand Ave.
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METRO COUNCIL PRESIDENT TOM HUGHES

November 17, 2014

The Honorable Ron Wyden
 United States Senate
 221 Dirksen Senate Office Bldg.
 Washington, D.C. 20510

Dear Senator Wyden,

On behalf of the Metro Council, I wanted to take a moment and thank you for your efforts on reauthorizing the Land and Water Conservation Fund (LWCF). This legislation has been a significant tool in helping make the tri-county area a great place for 50 years--and we need it to continue.

The fund is perfectly aligned with Metro's mission. As you know, the people of the Portland metropolitan area care deeply about protecting natural areas and preserving water quality. The voters of the region have empowered Metro to acquire more than 16,000 acres of parks, trails, and natural areas, from wild forests like Chehalem Ridge to urban natural areas like Scouters Mountain. This is in addition to many local parks and open space investments. The goals of these investments, just like the LWCF, are to improve water quality, restore habitat and create new recreational opportunities for Oregonians and those who visit our great state.

The LWCF is an absolutely critical finance tool for helping realize this vision. Since the original legislation was authorized in 1964, more than \$55 million in funds have been distributed across Oregon. Most recently, the fund supported park renovation in the city of Hillsboro, helping modernize a facility that provides access to a community swimming and recreational facility. As the former mayor of Hillsboro, I tell you from experience that these investments help people of all incomes stay healthy and active.

Again, we want to thank you for your continued work to protect public lands and invest in our communities. Our local parks, wilderness areas, and other public lands support local jobs and active lifestyles. Your leadership to sustain them through reauthorization of LWCF is critical for our region's future.

Sincerely,

Tom Hughes
 Metro Council President

ROD MONROE
STATE SENATOR
DISTRICT 24



OREGON STATE SENATE
900 COURT ST NE
SALEM, OR 97301

July 30, 2014

Senator Ron Wyden
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

I know that you've been working diligently to reauthorize the Land and Water Conservation Fund (LWCF) and I thought I'd take just a moment to give you the encouragement and appreciation for your efforts that you so richly deserve.

I read yesterday of your call to re-authorize the LWCF, noting its 50th anniversary, and I share your passion for this important legislation which has done so much to "preserve special places in Oregon and across America," as you so eloquently put it.

In Portland alone, LWCF monies have created numerous recreational opportunities including improvements and expansion of Powell Butte Park, Argay City Park, and the Leach Botannical Gardens all of which are either in my District, or just a short bike ride away. These facilities are used by literally tens of thousands of people every year, and I have no doubt the many hikers, birdwatchers, gardeners and sports enthusiasts who take advantage of these remarkable public spaces have no idea how they were funded.

LWCF is a critical component in creating the many amenities enjoyed in cities across the nation, as well as the preservation of wildlife areas, the creation of working forests, and the protections of wetlands in the more rural areas of Oregon and these great United States.

I wholeheartedly encourage you to continue in your efforts to persuade your colleagues of the value of LWCF, and I thank you for your work.

Sincerely,


Senator Rod Monroe





The
Mountaineers

7700 Sand Point Way NE
Seattle, WA 98115
www.mountaineers.org

April 20, 2015

The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

The Mountaineers, founded in 1906, is a nonprofit outdoor education, conservation, and recreation organization whose mission is "to enrich the community by helping people explore, conserve, learn about and enjoy the lands and waters of the Pacific Northwest and beyond." Based in Seattle, Washington, we have over 13,000 members and guests – a passionate, engaged community of people who knowledgeable and care about the outdoors. We work to protect the outdoor experience for current and future generations.

We are writing today in light of the April 22nd hearing on the reauthorization and potential reforms to the Land and Water Conservation Fund (LWCF) to share our community's perspectives on the invaluable role the LWCF has in creating opportunities for conservation and outdoor recreation.

The LWCF is the only federal program dedicated to the continued conservation and access to recreation in our national parks, forests, wildlife refuges, wilderness, monuments, and other federal conservation lands, as well as creating and developing state and local parks. **We believe that the LWCF is one of our nation's most important conservation programs.** Protecting our nation's, and Washington State's, natural places so we all have access to recreate is imperative to the future of conservation and growing the outdoor recreation economy. LWCF has funded many projects that our membership enjoys, include close-in opportunities for nature, like the Mount Si Conservation Area, as well as wilderness-based projects, both very important to our human-based recreation community. If it is not reauthorized in essentially its current form, critical lands and outdoor recreation sites all across the country will be at risk.

We urge the Senate Energy and Natural Resources Committee and the House Natural Resources Committee to resist the call for counterproductive changes to LWCF as they work through the reauthorization process, and instead hold LWCF up as a shining example of an efficient and effective toolbox for every state and county in America to tap into when in order to address their community-based conservation and recreation needs and opportunities.

Sincerely,

Executive Director, The Mountaineers

**Additional Written Comments of National Recreation and Park Association
National Association of State Park Directors, and
National Association of State Outdoor Recreation Liaison Officers**

**Senate Committee on Energy and Natural Resources
Regarding April 22, 2015 Committee Hearing on the Reauthorization and
Potential Reforms to the Land and Water Conservation Fund**

May 6, 2015

Chairman Murkowski and Senator Cantwell, the National Recreation and Park Association (NRPA) provided written testimony, in concert with the National Association of State Park Directors (NASPD), for the April 22, 2015 hearing on the Land and Water Conservation Fund (LWCF). We appreciate this opportunity to provide additional comments for the hearing record, with the assistance of the National Association of State Outdoor Recreation Liaison Officers (NASORLO).

While Committee members were afforded their opportunity to ask questions of the panel of speakers, Deputy Secretary of the Interior, Michael Conner, was asked by Senator John Barrasso of Wyoming what the Administration believed constituted a “fair and equitable” percentage distribution of overall LWCF dollars between the federal and “stateside” of the program. Deputy Secretary Conner responded that, “We (the Administration) look at the allocation in our budget as being actually 60% going to the federal side and 40% going to the stateside...” and he went on to explain the “additional grant programs which had been developed” which, in their view constituted a total of 40% of overall LWCF dollars going to the “stateside” of the program and that the Interior Department’s FY 2016 budget request reflects that amount.

Our organizations deem important that we respond to these comments by clarifying exactly what are state grants, consistent with the language and original purposes of the LWCF, and what we define as the “Stateside” component of the LWCF. We prefer to be clear in stating our interest in the LWCF is specifically with the State Assistance Program – formula grants to the States for local conservation and active recreation. The State Assistance Program is one of the original core tenants and priorities of the program from when the LWCF was created in 1964. Further, the original Act designated that the distribution of annual funding for the LWCF be allocated as follows:

SEC. 4. (a) ALLOCATION.—There shall ...

(i) the appropriation therein made shall be available in the ratio of 60 per centum for State purposes and 40 per centum for Federal purposes, ...

Source: www.gpo.gov/fdsys/pkg/STATUTE-78/pdf/STATUTE-78-Pg897.pdf

Again, at the time, the “State purposes” designated under the Act was the State Assistance Program. As explained in the written testimony submitted by the NASPD with the assistance of the NRPA, through legislative changes and diversions, the State Assistance portion of the fund has been effectively squeezed to the point of being no more than 12% to 13% of total LWCF appropriations since 1998.

This is a direct result of adding loosely defined “related purposes” as eligible uses for LWCF dollars. These “related purposes” or new programs were added to the law in 1997. While certainly serving worthwhile goals, these additional accounts are NOT what we determine to be “State purposes” as intended under the original Act.

For example, the “related purposes” which the Administration is attempting to include under the “Stateside” umbrella, are NOT subject to the same conditions placed upon the State Assistance Program. These “related” programs:

- Are NOT incorporated, or even considered, under the LWCF mandated “Statewide Comprehensive Outdoor Recreation Plan” (SCORP) which defines priorities and the manner which states intend to utilize their State Assistance funding over what is typically a five-year period. The SCORP is supposed to be used, in tandem with an “open selection process” when making decisions on all state uses of the grant funding.
- Being outside of the SCORP process, these programs are not managed with the direct assistance of the State Outdoor Recreation Liaison Officer – a governor-appointed position required under the State Assistance Program.
- These programs are identified as “voluntary” and “highly competitive” indicating that states cannot depend on receiving funding in a given year for these purposes and that major decisions with regard to where the funding ends up are being made in Washington, DC.
- Projects funded under these “related purposes” are not subject to the same financial threshold of the dollar-for-dollar match which is required of all projects funded through the State Assistance Program.
- Finally, these “related purposes” include programs which are not under the management or responsibility of the Department of the Interior, but which, over time, have utilized over \$650 million in direct LWCF support.

While we recognize the considerable competing priorities, and acknowledge the worthwhile purposes these programs were created to address, any honest review will confirm that they are NOT the same, in manner or purpose, as the “State purposes” laid out in the original Act. Therefore, claiming that “40% (of existing LWCF support) is going to the stateside,” of the program is misleading, if not disingenuous.

For the record, we bring to the Committee’s attention Deputy Secretary Connors own comments regarding the Administration’s FY2016 Budget request. It includes a total of \$400 million in discretionary funding for the LWCF with the \$50 million (12.5%) allocated to the State Assistance Program continuing the pattern of falling well short of a fair and equitable percentage being made available for state and local outdoor recreation. We note that it would take \$160 million of overall LWCF appropriations to the State Assistance Program to achieve the 40% threshold – the minimum percentage of annual appropriations the law currently requires be made available for federal land acquisition (“Federal purposes” under the original Act).

Further, the same budget request includes what can best be described as an “optimistic” vision of providing an additional \$500 million of “permanent” funding for the LWCF which the Administration could then claim gets us to the “full funding” authorized amount of \$900 million. Even at that level, the amount envisioned for State Assistance is \$100 million, with an additional \$25 million designated for the moribund Urban Park and Recreation Recovery Program (UPARR). Therefore, even under a “full funding” scenario, the Administration views providing a grand total of 13% to state and local conservation and outdoor recreation as adequate to address existing needs and priorities – including less than 3% of total LWCF resources specifically targeting the needs of “urban” communities.

Finally, we reiterate that what we find has gotten lost in the ongoing discussion over the reauthorization of the LWCF is, first and foremost, the issue of fairness in how LWCF dollars are being distributed. For nearly 50 years the bulk of the work to carry out the purpose of the Act has fallen on local communities to handle alone. While four-out-of-five Americans live in larger metropolitan areas, the LWCF is now only providing about 13% of overall funding to the very program – State Assistance -- which impacts people where they live, and recreate, the most. Urban communities, in particular, suffer from the severe lack of resources currently being made available through the State Assistance Program.

We conclude by stating that we value preserving and providing access to our “national treasures” for all to enjoy, but we want to remind you that many treasured places and areas are NOT located on federal property. We respectfully reiterate our request that Congress embraces this opportunity to update the LWCF to reflect 21st Century needs and priorities and provide a fair and balanced allocation to the State Assistance Program that resembles the original intent of the law.

Faithfully submitted by:

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**National Trust for
Historic Preservation**
Save the past. Enrich the future.

**Statement of the National Trust for Historic Preservation
Before the Senate Committee on Energy and Natural Resources
Hearing on the Land and Water Conservation Fund
May 6, 2015**

Madame Chairman Murkowski, Ranking Member Cantwell and Members of the Committee, I appreciate the opportunity to present the National Trust for Historic Preservation's perspectives on the Land and Water Conservation Fund (LWCF). My name is Thomas J. Cassidy, Jr. and I am the Vice President of Government Relations and Policy.

The National Trust for Historic Preservation is a privately-funded nonprofit organization chartered by Congress in 1949 to facilitate public participation in the preservation of sites, buildings, and objects of national significance or interest. The National Trust has more than 750,000 members and supporters. Headquartered in Washington, D.C., with 13 field offices and 27 historic sites, the National Trust takes direct, on-the-ground action when historic sites are threatened, advocates to save America's heritage, and strives to create a cultural legacy that is as diverse as the nation itself, so all can take pride in the American story.

In addition to the importance of the LWCF, I will also address the need and opportunities to address the maintenance back log of the National Park Service (NPS), the need to reauthorize and fully fund the Historic Preservation Fund (HPF) and other programs that could derive funding from federal Outer Continental Shelf (OCS) receipts.

Land and Water Conservation Fund (LWCF). The National Trust for Historic Preservation supports full and dedicated funding for the Land and Water Conservation Fund. This fund provides essential funding for land acquisitions to fulfill the promise of our federal lands, including historic resources managed by federal and state agencies.

Three-quarters of national park units were established to protect our country's most important historic and cultural resources. These places include such national treasures as Ellis Island National Monument, Gettysburg National Battlefield, Chaco Cultural National Historic Park and the Washington Monument. Over the past two decades, the NPS has added over 30 new park units which are predominantly historical and cultural. These new parks that help tell the stories of all Americans include Fort Monroe National Monument, César E. Chávez National Monument, and the Harriet Tubman Underground Railroad National Monument. The LWCF has provided investments to acquire land essential to protecting many of our most significant historic and cultural landscapes, including the Flight 93 National Memorial, Minidoka National Historic Site, Lewis and Clark National Historic Trail, Gettysburg National Military Park, Martin Luther King Jr. National Historic Site, Canyons of the Ancients National Monument, and Harpers Ferry National Historic Park.

The American Battlefield Protection Program, which is funded by the LWCF, has protected numerous Civil War battlefields and is now authorized to protect War of 1812 and Revolutionary War battlefields. Many of these sites continue to be at risk of permanent loss. In 2007, the NPS reported that of 667 identified sites associated with the Revolutionary War and War of 1812, as many as 335 sites have been lost, destroyed or extremely fragmented.

Our System of National Parks and Protected Areas Continues to Evolve. Our parks and protected areas tell the story of America – and our history is still being written.

The Center for American Progress (CAP) recently issued *“Better Reflecting Our Country’s Growing Diversity,”* a report that documents both the progress that has been made and the work remaining to create a system of protected lands that more accurately reflect the evolving diversity of places, cultures and beliefs of our nation. The CAP report documents that 24% of 460 identified parks and monuments have a primary purpose of recognizing historic figures, cultures or important events of traditionally underrepresented communities; 63 of the 112 sites have a primary focus on American Indians or Native Alaskans. However, only 26 focus on African Americans, 19 on Latinos, 8 on women, 4 on Native Hawaiians and 2 on Asian Americans. No such parks and monuments focus on historic figures in the Lesbian, Gay, Bisexual and Transgender community. Congress and the Administration also have a responsibility to maintain and repair our national parks and federal lands.

Our system of national parks is not done. In a representative democracy, besides protecting areas of spectacular beauty and natural resource values, our national parks should tell the history and stories of all Americans. We can be sure that LWCF investments will continue to be important to protect our nation’s history into the future.

Maintenance Backlog. A number of Senators and witnesses noted that the choice is not fully funding the LWCF or addressing the maintenance backlog. Plainly, the NPS maintenance backlog of more than \$11 billion demonstrates that additional investments and new strategies are necessary if we are to meet our stewardship responsibilities.

But, halting the creation of new parks or preventing acquisition of key properties necessary to better manage and tell the story of the parks is not the way to meet the stewardship of our parks. Diverting the LWCF from its rich tradition of adding to our system of parks and protected lands to address maintenance needs would limit the legacy we protect and pass on to future generations.

The National Park Service is responsible for maintaining the 407 units of the National Park System, including an estimated 2 million archaeological sites, 3,500 historic statues and monuments and more than 27,000 properties listed on or eligible for the National Register of Historic Places, including 9,600 buildings.

According to the *State of America’s National Parks* report released by National Park Conservation Association in 2011, more than 45 percent of historic buildings and structures in the 80 national park units surveyed were only in fair condition, while 25 percent were in poor condition. Without funding to stabilize these structures, the condition of these assets will continue to deteriorate and become more expensive to repair and preserve in the future.

Our best understanding is that the total amount of the backlog attributable to historic preservation building projects is approximately \$4.5 billion. Given the current fiscal environment, including the impacts of sequestration, it is plain that funds beyond appropriations must be made available to the NPS to solve this problem.

Of course, our parks and federal lands are not the only national assets confronting a lack of federal support. The inability of the Congress to fund the Highway Trust Fund is another example of a policy failure. And in fact, nearly \$7 billion of the NPS maintenance backlog is

attributable to inadequately maintained roads. The Committee should work with the Committee on Environment and Public Works to ensure that the reauthorization of MAP-21 includes robust funding to address the maintenance needs of park roads.

The National Trust is committed to addressing the maintenance of historic resources within the National Parks. We are supporting the Administration's FY16 proposal to invest in the repair and maintenance of priority projects. However, more is necessary.

This Committee held a hearing on July 25, 2013 to consider funding the National Park Service for the Next Century." In testimony we submitted for the record, we recommended that Congress consider allocating a portion of OCS receipts to address the deferred maintenance backlog. Such a proposal for a "Park Legacy Partnership Fund" was included in the 2013 National Parks Conservation Association and National Parks Hospitality Association report, *"Sustainable Supplementary Funding for America's National Parks."* The specific proposal was to use up to \$350 million annually from OCS receipts, which in FY14 produced more than \$7.2 billion, and pattern the use of the Park Legacy Partnership Fund on the Federal Lands Recreation Enhancement Act. Such uses would include repair, maintenance and facility enhancements related to visitor enjoyment, access, and health and safety. Such a proposal need not be a substitute for LWCF – there are sufficient OCS revenues to fully fund LWCF, the Historic Preservation Fund and such a new fund for NPS maintenance.

In addition to providing annual appropriations or providing new mandatory funding, there are other opportunities to engage the private sector, through expanded use of historic leasing and the new HOPE Crew program, as described below.

Historic Leasing. To fulfill its congressionally mandated stewardship responsibilities, the NPS should fully use its existing authority to work with non-federal entities to find funding solutions. Congressional support for this approach has long existed, as evidenced by grants of authority to enter into public-private partnerships and historic leases, which Congress has extended to the NPS over the years. In addition, the FY12 Conference Report for the Interior, Environment and Related Agencies Appropriations Bill stated:

"The Committee encourages the Park Service to pursue the use of cost-effective, innovative solutions like historic leases when practical and when the arrangement comports with a park unit's enabling legislation. These solutions can help mitigate a growing backlog of historic structures in need of preservation."

The explanatory report of the House Interior Appropriations Subcommittee for its FY14 Appropriations Bill states:

"The Committee believes that historic leases provide a cost-effective, innovative opportunity to attract private capital and expertise to the challenges of preserving park resources. The Committee applauds the efforts of the Service and private partners to successfully implement such leases, and encourages the broader use of this important authority to mitigate the maintenance backlog of historic structures."

The National Trust completed a report on historic leasing in September 2013 that included actionable recommendations that, if implemented, would increase the use of leasing in the National Park System. Leasing is plainly not the solution to the entire NPS maintenance backlog. Some sites, whether due to concerns about public access, because of the scale of the resources needed to maintain the site, or for other reasons, are simply not appropriate

candidates for management through leasing. We believe, however, that used appropriately, leasing can be one of a suite of tools that over time can alleviate the maintenance backlog. Here are a few examples of the many historic leasing success stories, along with a few challenges, that illustrate the potential of historic leasing to address the NPS maintenance backlog.

Klondike Gold Rush National Historic Park, Alaska

The NPS has acquired and restored many of the most historic buildings along the main thoroughfare in Skagway, Alaska to ensure protection of the cultural landscape features of the park. Local park administrators began an active push to use leases here in 1986 that has been very successful. The park is a major destination for cruise ships and records the highest annual visitation numbers of any NPS site in Alaska. Seven historic leases have been extended to commercial businesses in the park that cater to tourists. Under these leases, the Park Service received \$368,572 in rent in 2012 that was used to fund historic property maintenance.

Valley Forge National Historical Park, Pennsylvania

Valley Forge National Historic Park is dedicated to preserving and interpreting the winter encampment site of the Continental Army during the American Revolution. The park includes numerous historic structures that post-date the Revolutionary War and are thus outside the historical time period that is the main interpretive focus of the park. In 2009, park staff successfully negotiated a 40-year lease agreement for the David Walker Farmstead, a 3.7-acre site that is listed on the National Register of Historic Places. The lessee is the Montessori Children's House of Valley Forge, a non-profit organization that uses the farmstead as a school. The Montessori school has invested over \$3 million dollars into restoration and maintenance, including funding the removal of non-historic elements, such as an adjacent, non-historic 1958 house.

Martin Luther King, Jr. National Historic Site, Georgia

To preserve the historic character of Auburn Avenue, and the block of historic houses that includes the Birth Home of Dr. Martin Luther King, Jr., the NPS established the Martin Luther King, Jr. National Historic Site in 1980. The park encompasses 38 acres in the Old Fourth Ward neighborhood of Atlanta, Georgia. Dr. King's Birth Home is open to visitors. The NPS funds the maintenance for all of the federally-owned houses within the park unit with revenue generated by leasing 29 of the federally-owned historic buildings for private residential purposes. These structures include apartments, duplexes and single family homes. The leasing program has been very popular, leading to the establishment of a waiting list for potential tenants.

In addition to the private residential leases, another federally-owned building is operated as a commercial barber shop, and the remaining homes are used for park employee housing or by park partner organizations under cooperative agreements, including the Martin Luther King Jr. Center for Nonviolent Social Change and the historic Ebenezer Baptist Church. The nearly \$200,000 in annual rental revenue collected through these rental agreements is used to perform major maintenance and restoration in the historic district while the lessees are individually responsible for funding routine maintenance. This leasing model provides an excellent example for other sites where the Park Service has management responsibility for a large number of historic resources that are unnecessary for federal use or site interpretation.

Golden Gate National Recreation Area, California

The Golden Gate National Recreation Area is a large park unit that spans multiple sites across the greater San Francisco Bay region. NPS personnel have successfully used historic leases and

cooperative agreements to work with a diverse array of local partners to provide assistance and funding for historic facility maintenance and repairs.

A significant success story is found north of the Golden Gate Bridge at Fort Baker in Sausalito. Through a long-term lease that permitted utilization of the federal historic tax credit, the former officer's residences at Fort Baker have been impeccably restored and transformed into the Cavallo Point, the Lodge at the Golden Gate. The Argonaut Hotel is another exemplary leasing example in the Pacific West Region. The hotel is located in the century-old Haslett Warehouse within the San Francisco Maritime National Historic Park. Under a 60-year lease this one-time fish cannery is now open to the public as a hotel. The rehabilitated historic building includes the park's Visitor Center onsite. The length of the lease term allowed the hotel operators to qualify for federal historic tax credits that made the building's rehabilitation financially feasible. Without the investment of private funds, and the utilization of the federal historic tax credit, it is likely that these beautifully restored buildings would be sitting unused.

HOPE Crews and The Corps Network. The National Trust has just completed the first year of one of our newest initiatives, a partnership with The Corps Network and the National Park Service: the Hands-On Preservation Experience Crew, or HOPE Crew. This is a program that helps young people receive critical training and experience in preservation skills by giving them the opportunity to rehabilitate historic places in need. This is a win-win partnership. On one hand, young men and women get an opportunity to enter into a high-need field and obtain education and training in preservation skills that can otherwise be hard to come by. On the other, HOPE Crew helps to alleviate the multi-billion dollar backlog in deferred maintenance at National Parks sites.

In just its first year, over one hundred HOPE Crew members have contributed over 12,000 hours to serving their communities by restoring historic sites and structures at more than 20 national park units and national cemeteries, including Martin Luther King Jr. National Historical Site, LBJ National Historical Park, FDR National Historical Site, Grand Teton National Park, Little Big Horn Battlefield National Monument and Shenandoah National Park.

Opportunities for Future Legislation. This Committee held a hearing on July 22, 2014, "Leveraging America's Natural Resources as a Revenue Generator and Job Creator." That hearing provided an opportunity for testimony and discussion of previously enacted and identified important legislative precedents for allocating portions of OCS revenues to vitally important programs, including the Gulf of Mexico Energy Security Act (GOMESA), the RESTORE Act, Secure Rural Schools legislation, Payments in Lieu of Taxes (PILT) and the Land and Water Conservation Fund, as well as strongly supported but unsuccessful legislation such as the Conservation and Reinvestment Act (CARA) in 1999-2000 and the CLEAR Act of 2009-2010.

The National Trust submitted a statement for the record for that hearing. We continue to believe strongly that any future legislation that would allocate OCS receipts to fully fund the LWCF should build upon the precedents of CARA and the CLEAR Act and also provide full and permanent funding for the Historic Preservation Fund. The HPF was created in 1976 to fund the nation's historic preservation programs. The HPF provides formula-based matching funds, administered by the National Park Service, to the State Historic Preservation Officers (SHPOs) and grants to Tribal Historic Preservation Officers (THPOs). These funds support the implementation of the nation's preservation programs, including section 106 reviews, Historic Tax Credit applications, nominations for the National Register and surveys of historic resources. These activities are essential to protecting historic resources while also permitting the utilization

of resources that generate revenues and jobs. For example, the Historic Tax Credit, signed into law by President Reagan, has catalyzed the rehabilitation of more than 41,000 buildings throughout the nation. Since its creation more than 30 years ago, the HTC has created 2.4 million jobs and leveraged nearly \$117 billion in private investment.

Each year, the HPF receives \$150 million from revenues generated from oil and gas development on the Outer Continental Shelf. Similarly, the Land and Water Conservation Fund receives \$900 million annually in OCS revenues. However, both funds are presently subject to annual appropriations, which vary from year to year. Since FY11, appropriations for the HPF have ranged between \$53 million and \$56.4 million. Beginning in FY14, the Interior Appropriations Bill provided \$500,000 to launch an important new program of competitive grants for the survey and nomination of properties associated with communities currently underrepresented in the National Register of Historic Places and National Historic Landmarks. Recent studies have documented that less than 8% of such listings identify culturally diverse properties.

In past years, the HPF also provided funding for the Save America's Treasures and Preserve America grants programs as well as grants for Historically Black Colleges and Universities (HBCU). The FY16 request would provide significant funding for Civil Rights sites and history, including grants to HBCU's.

Full funding for the HPF would enable more robust funding for a broad range of preservation programs, including a restoration of competitive grants to restore nationally significant historic properties, similar to the Save America's Treasures program. It would also provide funding to meet the continuing demands upon the State Historic Preservation Offices (SHPO) and Tribal Historic Preservation Offices (THPO) for their preservation services, including the survey of historic resources. The funding pressures on THPO's continues to grow, in part because of the challenges of an increasing number of THPO's participating in the program, from 131 tribes in FY12 to potentially 156 tribes in FY15, with nearly level funding. Finally, investing in digitizing legacy historic survey data – and new landscape scale surveys – would improve access to historic property records and help expedite federal permitting of important infrastructure projects.

Conclusion. The Land and Water Conservation Fund has become a critically important to ensure the long-term conservation of natural and historic resources important to the American people. We look forward to working with the Committee to ensure this program and the Historic Preservation Fund are reauthorized and provided full and dedicated funding. We believe that there continue to be important opportunities to provide resources for programs, such as Payment in Lieu of Taxes (PILT), Secure Rural Schools and coastal revenue sharing, through OCS revenues. Finally, we look forward to working with the Committee and the Appropriations Committee to ensure that sufficient resources and effective public-private partnerships are directed to addressing the maintenance backlog.

Neil Kelly

August 11, 2014

Senator Ron Wyden
223 Dirksen Senate Office Building
Washington, DC 20510

Design/Build Remodeling
HomeForce
Home Performance
Custom Homes
Cabinets

Dear Senator Wyden,

I just wanted to take a moment to thank you for your continued support and leadership on the issue of the Land and Water Conservation Fund (LWCF). At Neil Kelly, we strive to incorporate green design and remodeling elements in all our practices, we provide home energy retrofits to maximize the energy efficiency of residences, and I am personally involved in a number of important sustainability efforts in Oregon. Your efforts on continuing Congressional support of LWCF is an important adjunct to the work Neil Kelly is doing here in Oregon, to enhance our state's livability.

I know that Oregon continues to benefit from LWCF monies with more than \$657,000 coming to Oregon this year from the LWCF. Parks, hiking and biking trails, ball fields, public plazas, and wildlife refuges are all jewels in Oregon's crown, and many of those amenities would not be possible without leaders like you, working diligently to protect and promote important programs like LWCF.

Of course, in addition to the benefits of access to recreation across the state, those LWCF funds have contributed to significant economic development in some of the areas of Oregon hardest hit by the recent economic downturn. LWCF is more than a conservation program -- it's an unheralded economic tool, providing construction, wildlife management and service sector jobs, as well as a significant tourism booster.

Again, Senator, thank you for your true leadership on this issue. I am passionate about Oregon and I know that the state would be diminished without the Land and Water Conservation Fund.

Sincerely,



Tom Kelly
President, Neil Kelly

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OR CCB# 601663
WA L&M# NEILKCI 18702



**Northwest Sportfishing
Industry Association**
PO Box 4, Oregon City, OR 97045

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April 20, 2015

The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Energy and Natural Resources
304 Dirksen Senate Building
United States Senate
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

I am writing on behalf of the Northwest Sportfishing Industry Association, a nonprofit organization dedicated to the enhancement of sport fisheries and the businesses dependent on them.

The Land and Water Conservation Fund is a valuable tool to keeping our public lands public for outdoorsmen and women. In Washington alone, sportfishing on public lands sustains over 10,000 jobs and generates \$407.9 million in salaries. And that is just sportfishing, with other outdoor recreation activities included, every dollar invested in LWCF produced \$4 in economic output.

On top of creating jobs and boosting the outdoor recreation industry, strategic LWCF investments can diffuse conflicts with private landowners and secure permanent access. With the changing land and ownership patterns, previously accessible lands are being blocked off. Similarly disruptive, public lands have been known to be separated from public roads and towns by narrow strips of privately owned land. LWCF has proven effective at connecting existing public lands.

LWCF also provides suitable conservation of waterways and backcountry habitat, ensuring healthy populations of fish and game for angling, fishing and wildlife viewing. River access acquisition projects, like the Lake Chelan National Recreational Area LWCF project, enhances recreation experience on effected public lands, and on neighboring lands.

LWCF is a well-oiled program that exemplifies how each state should address their recreation preservation needs. We hope the Senate on Energy and Natural Resource Committee resists any requests for unnecessary changes to LWCF as they work through this reauthorization process.

Sincerely,

Liz Hamilton
Executive Director
NSIA

cc. Senator Ron Wyden

Dedicated to the preservation, restoration and enhancement of sport fisheries and the businesses dependent upon them. Call toll free: 1-866-315-NSIA



November 16, 2014

Senator Ron Wyden
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

The Oregon Economic Development Association (OEDA) is a vocal advocate for Oregon's economy, serving as a champion across the state for a balanced, prosperous, and robust economy. For that reason, I want to thank you for your contribution to our mission. Your work in securing a permanent source of funding for the Land and Water Conservation Fund is absolutely aligned with our goals, and deeply appreciated.

As President of OEDA, I can say with confidence that LWCF has made a lasting difference to the Oregon's economy, to our residents, and to our visitors. From high-visibility projects in the Portland area (e.g., construction of Stub Stewart State Park and recreational improvements at nearby Hagg Lake) to the Elk Refuge in Jewell and public tennis court in the town of Athena, these recreational facilities provide amenities that make our cities and towns more desirable places to live, work, and play. And LWCF dollars have also contributed to the conservation of some of our most visible, and visited, treasures: sites along the majestic Oregon coast, stretches of the Rogue River, and forests near Crater Lake.

LWCF projects provide more than simply recreational opportunities - they also contribute to the Oregon mystique that lures talented people to our state, enabling our businesses to successfully compete in the global marketplace.

In short, LWCF funded projects bolster Oregon's economy. These monies gives us places to play, hike, paddle, and hunt. The funds protect places that give us pride in our breath-taking beauty, and LWCF helps OEDA pursue our organization's mission. I am sincerely grateful for your past and continuing leadership on this much valued program.

Best wishes,

A handwritten signature in cursive script, appearing to read "Sarah Garrison".

Sarah Garrison
President
Oregon Economic Development Association

OUTDOOR ALLIANCE

April 22, 2015

Senator Lisa Murkowski
Chair, Senate Committee on Energy and Natural Resources
709 Hart Senate Building
Washington, DC 20510

Senator Maria Cantwell
Ranking Member, Senate Committee on Energy and Natural Resources
511 Hart Senate Office Building
Washington, DC 20510

Re: "Hearing on the reauthorization and potential reforms to the Land and Water Conservation Fund (LWCF)"

Outdoor Alliance is a coalition of six member-based organizations representing the human powered outdoor recreation community. The coalition includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association, Winter Wildlands Alliance, and the Mountaineers, and represents the interests of the millions of Americans who climb, paddle, mountain bike, and backcountry ski and snowshoe on our nation's public lands, waters, and snowscapes.

In light of the Energy and Natural Resources Committee's April 22 hearing, we would like to share our community's perspectives on the critical role of the Land and Water Conservation Fund in supporting opportunities for outdoor recreation and the outdoor recreation economy. We believe that LWCF is a tremendously successful program that has had positive impacts in every corner of the country, and it should be reauthorized and fully funded in its current form.

Outdoor recreation is a primary way through which Americans come to know their public lands, providing physical, mental, social, and spiritual benefits while supporting the \$646 billion per year outdoor recreation economy and directly employing 6.1 million Americans. All of these benefits depend on access to healthy landscapes on our public lands.

The Land and Water Conservation Fund is an overwhelmingly successful program for achieving balanced use of public lands by directing a portion of royalties from off-shore oil and gas development toward targeted recreation and conservation land acquisitions. Over the life of the program, LWCF has funded critical protections for river corridors in



OUTDOOR ALLIANCE

Thank you for your consideration of our perspectives on the importance of maintaining and reauthorizing the Land and Water Conservation Fund to ensure opportunities for outdoor recreation and the careful management of public lands.

Best regards,



Adam Cramer
Executive Director
Outdoor Alliance

cc:

Brady Robinson, Executive Director, Access Fund
Wade Blackwood, Executive Director, American Canoe Association
Mark Singleton, Executive Director, American Whitewater
Michael Van Abel, Executive Director, International Mountain Bicycling Association
Mark Menlove, Executive Director, Winter Wildlands Alliance
Martinique Grigg, Executive Director, The Mountaineers
Phil Powers, Executive Director, American Alpine Club





April 30, 2015

Senator Lisa Murkowski
Chair, Senate Committee on Energy and Natural Resources
709 Hart Senate Building
Washington, DC 20510

Senator Maria Cantwell
Ranking Member, Senate Committee on Energy and Natural Resources
511 Hart Senate Office Building
Washington, DC 20510

Re: "Hearing on the reauthorization and potential reforms to the Land and Water Conservation Fund (LWCF)"

The outdoor industry is near and dear to Americans and their heritage and a huge economic driver that contributes to healthy communities and healthy economies. The Outdoor Industry Association (OIA) is the leading trade association for the outdoor industry, supporting the growth and success of manufacturers, distributors, suppliers, sales representatives, and retailers of outdoor recreation apparel, footwear, equipment and services. As you would suspect, the management of our outdoor recreation assets, including our national public lands and waters, and state and local parks, is profoundly important to the 142 million Americans who recreate outdoors each year, and to the thousands of companies in our sector.

Recreation is a significant economic driver, with Americans spending over \$646 billion on outdoor recreation each year. This is twice as much as they spend on pharmaceuticals or cars. Outdoor recreation also contributes \$40 billion in federal tax revenue and \$40 billion in state and local tax revenue. Over six million Americans are directly employed by outdoor recreation. The outdoor recreation economy depends on availability and access to quality trails, waterway, forests and parks- locally, state and federally run. Just like any other industry, our businesses rely on investments in quality infrastructure for our public lands and waters and the Land and Water Conservation Fund (LWCF) is the most successful program that has, and we hope continues to, support the growth and success of the outdoor industry.

This bedrock conservation policy was created more than 50 years ago, with a unanimous vote in the House, based on the simple premise that as we extract resources from the

earth, we should give something back. LWCF uses a fraction of the \$6.7 billion in revenues from Outer Continental Shelf development and invests that money in creating and maintaining quality outdoor experiences for all Americans.

From our backyards to the backcountry- LWCF has helped sustain and improve outdoor recreation opportunities for the last half-century in every county and every congressional district. Our industry depends on having continued access to these recreational opportunities and LWCF is a critical policy for the millions of jobs and billions in economic activity our industry creates, not to mention the appeal for attracting international tourists who visit our public lands and spend money in our gateway communities. It is not just the Fortune 500 brands who benefit from LWCF investments on our public lands- it is the mom and pop specialty retailers outside a park, the small businesses who run outdoor trips in our forests, the specialty manufacturers who make fly rods and the thousands of businesses who choose to locate near accessible public lands for recruitment and quality of life.

Given that there is not a one size fits all approach to managing our state and federal public lands, we hope Congress can come to a compromise that keeps all of the tools in tact, honoring the original intent of the law. Appropriate land acquisition by the states and federal government can reduce management costs and improve accessibility, and local input on projects requiring match dollars is a critical component to the stateside program. Fully funding LWCF at \$900 million annually could only improve the health of communities and economies across the country and provide more funds to the federal, stateside and forest legacy programs that fuel the outdoor recreation economy.

As Senator Angus King mentioned in last week's hearing, there are few things that the next generation will thank us for, and preserving and protecting public spaces for recreation is one of them. Extracting depletable assets compliments the LWCF program, which reinvests in permanent, sustainable recreation on public lands and is the "most farsighted, in fact visionary statutes passed in the last 100 years" (Senator King). Honoring this farsighted vision means addressing the backlog on our public lands through the appropriations process; using LWCF dollars for maintenance is inappropriate, and not the original intent of the law.

With LWCF expiring at the end of September, we urge the committee to call attention to this incredible success story and to spread the word about the great projects happening in districts and states across the country, with benefits that will be realized for generations to come. Not only should LWCF be permanently reauthorized, it should be fully funded at the originally intended level of \$900 million dollars. LWCF has received only a fraction of its intended appropriation, \$18 billion less than intended due to diversions.

Thank you for your attention to an issue that directly affects businesses large and small, American citizens, international tourists, and most importantly, future generations. The potential benefits to the American people from fully funding LWCF are extraordinary. As our nation continues to grow and seek quality outdoor experiences, we urge the committee to understand the good work LWCF has done over the last 50 years and

support this vital resource for the next 50 years. Please view the outdoor industry as a partner and we look forward to working with you in the coming months on this important bipartisan legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Barker". The signature is fluid and cursive, with the first name "Steve" and last name "Barker" clearly distinguishable.

Steve Barker
Executive Director
Outdoor Industry Association

CC:

Jennifer Mull, Backwoods
Gordon Seabury, Toad & Co
Marc Berejka, REI
Ann Krcik, The North Face
Hans Cole, Patagonia
Sally McCoy, CamelBak
Peter Metcalf, Black Diamond



September 3, 2014

Dear Members of Congress,

We represent manufacturers, distributors, retailers and outfitters, small family businesses, entrepreneurial start-ups and international Fortune 1,000 companies that make and sell products for active use in the outdoors, and are writing to express our strong support for full, dedicated funding and reauthorization of the Land and Water Conservation Fund (LWCF).

This year marks the 50th anniversary of LWCF and is an historic opportunity to fulfill the promise of full and dedicated funding at \$900 million annually. We stand ready to work with you to ensure that this investment is realized, so that LWCF funding can protect and provide recreational access to our nation's irreplaceable outdoor spaces.

Each year, the outdoor industry supports more than six million American jobs, generates \$646 billion in direct consumer spending and contributes \$80 billion in federal, state and local taxes. While many other sectors declined during the recession, the outdoor industry continues to be a bright spot in our economy – growing roughly five percent annually between 2005 and 2011. To maintain this growth, our businesses depend on access to the nation's lands and waters and improved infrastructure in around these places. Full and dedicated funding for LWCF will enable communities across the nation to invest in the outdoor economy, create jobs and get people back to work.

LWCF makes investments in our shared outdoor heritage – from backyards to the backcountry – that are essential to outdoor companies, our consumers and the health and vitality of urban and rural communities. This program represents a promise that was made to the American people 50 years ago to take the proceeds from natural resource development in our nation's Outer Continental Shelf (OCS) and invest a small portion of those dollars in conservation and outdoor recreation. Yet, nearly every year, the majority of LWCF funds are diverted to other, unrelated purposes. Recent bipartisan polling shows that 85 percent of American voters want and expect the nation to continue to invest in LWCF, a level of support that has been consistent over the years regardless of demographic, income and political differences.

Our businesses, and the 140 million Americans who participate in outdoor recreation each year, depend on LWCF for a healthy environment, high quality of life and access to outdoor recreation. Full, dedicated funding and the reauthorization of LWCF will help our businesses grow and give Americans more places to enjoy high quality outdoor recreation.

We urge you to support a long-term solution for LWCF that includes full funding at \$900 million annually, and look forward to working with you to find this solution that will protect and grow our outdoor economy.

Sincerely,

22 Designs
2nd Wind Sports
Adventure 16
Amer
American Alpine Institute
Appalachian Mountain Club
Arc'teryx
Backwoods
Benchmade Knife Company
Black Diamond
Blue Ridge Marathon
Brook Hopper Consulting
Broudy/Donohue Photography
Buff, Inc.
Burton
California Canoe & Kayak
Camelbak
Cascade Designs
Cascade Web Development
Cedar Industries, Inc.
Centro
Chaco
Clif Bar & Company
Coach-Net
Coaxsher Inc.
ColdAvenger
Confluence
Conservation Alliance
Conservation Legacy
Corporate Image Outfitters
Deckers
DRO Davidson River Outfitters
Eagle Creek
Eagle's Nest Outfitters, Inc.
ECCO USA, Inc.
Eddie Bauer
Elemental Herbs
ExOfficio
Exxel Outdoors
Farm to Feet

Feathered Friends
FiTAD
Fly Low Gear
Fontana Sports Specialties
Footloose Communications
Glacier Clothing Company
GO Outside Festival
Good To-Go
Gore - Tex
Grassroots Outdoors Alliance
Greenspace
HB Tune
HOWADESIGN
Ibex
Joovy
KEEN, Inc.
Kelty
Kialoa
Kinderlift
Klean Kanteen
Kokatat
Liberty Mountain
Lightspeed Outdoors
LOWA Boots
Lucy
Marmot
MercuryCSC
Merrell
Metolius Climbing
Midwest Mountaineering
Morsel Munk
Mountain Gear
Mountain Hardwear
Mountain Khakis
MTI Adventurewear
Mystery Ranch
Nantahala Outdoor Center
NEMO Equipment, Inc.
Nester Hosiery

New Hampshire Division of Parks and Recreation	Terra Public Relations
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Northwest Rafting Company	The Forest Group
Notogroup	The Mountain Lab
Oboz Footwear	The North Face
Osprey Packs	The Trail House
Outdoor Divas	Thule
Outdoor Gear Exchange	Timberland
Outdoor Research	Toad & Co.
Outdoor Retailer	Turtle Fur
Outpac Designs	Under Solen Media
Outward Bound	Uretek LLC
Pachner & Associates, LLC	Vans
Patagonia	Vapur
Perpetual Motion NW	Vasque
Petzl	Verde Brand Communications
Pinnacle Outdoor Group	Vibram USA
Piragis Northwoods Company	Warehouse Rock Gym
PlumRive, LLC	Western River Expeditions
Prana	Western Spirits
Quickfeat	Wild Places, LLC
Rainy Pass Repair, Inc.	Wild Things, LLC
Redington	Wilderness Press and Menasha Ridge Press
REI	Woolrich
Revolution House Media	Worthwild
Rio	Yakima Racks
Rising Tide Associates	Zumiez
River Sports	
Roanoke Outside Foundation	
Ruffwear	
Rutabaga	
Sage	
Sanitas Sales	
SCARPA North America, Inc.	
Schoeller Textil USA	
Sea to Summit	
Seattle Sports Company	
Sierra Designs	
SmartWool	
Smith Optics	
Snugpak	
Sorensen's Resort	
SylvanSport	
Tahoe Mountain Sports	
Talic, Inc.	



April 21, 2015

The Honorable Lisa Murkowski
United States Senator
Chairwoman, Senate Committee on Energy & Natural Resources
709 Hart Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
United States Senator
Ranking Member, Senate Committee on Energy & Natural Resources
511 Hart Senate Office Building
Washington, DC 20510

Dear Senate Chairwoman Murkowski and Senator Cantwell,

We, the undersigned members of the Outdoors Alliance for Kids (OAK), urge you to permanently reauthorize and fully fund the Land and Water Conservation Fund (LWCF). LWCF provides critical resources for ensuring that children, youth and families are able to spend time outdoors.

The Outdoors Alliance for Kids is a national strategic partnership of businesses and non-profit organizations representing more than 30 million individuals from diverse sectors with a common interest in expanding the number and quality of opportunities for children, youth and families to spend time outdoors. OAK supports public policies and investments that expand outdoor and environmental education opportunities, promote community health and wellness, and engage more youth in environmental stewardship.

The Land and Water Conservation Fund is one of the most successful government programs in modern history. LWCF is built on the simple premise that as we extract oil and gas from the earth, we should give something back in the form of protecting places for current and future generations. Created 50 years ago, LWCF takes a portion of royalties from offshore oil and gas development and invests that money in protecting America's most important lands – whether our iconic national parks or our neighborhood parks and playgrounds.

Protection of land through LWCF increases opportunities for play and recreation that help keep our kids fit and healthy. According to the Centers for Disease Control and Prevention, nearly two-thirds of Americans cannot safely walk to a park from their home. A lack of safe places to play and recreate outdoors is a contributor to the childhood obesity epidemic. LWCF increases opportunities for children and youth to get physically active – whether in their own neighborhood or on a school or family trip to our national parks or public lands. The Fund also provides opportunities for children and youth to learn about the natural world and participate in environmental stewardship activities that help them develop critical life and leadership skills.

With LWCF expiring this September, we hope your committee will focus on ensuring this highly successful program is permanently reauthorized and fully funded. The success of the federal land acquisition and state and local assistance programs over the last half-century shows what this program could do if fully funded. It is essential that we continue to provide ample opportunities for young people to get outdoors regardless of whether they live in urban, rural or suburban areas.

LWCF protects our open spaces, near and far, and improves access to them for all Americans. As your committee examines LWCF, we believe it is clear the program provides incredible value to the American people and especially children and youth. In addition to the health and wellness benefits our public lands provide, the outdoor recreation economy which is built on the protection of our national, state and local treasures, contributes \$646 billion to the economy and provides 6.1 million jobs in America. We have all benefited from the foresight of the visionaries who created LWCF, and we ask that you also look to the needs of future generations and support this critical program.

Thank you in advance for your time and consideration of this request. We look forward to having your support for the permanent reauthorization and full funding of the Land and Water Conservation Fund. Should you or your staff have any questions about this letter, please contact OAK's Chair Jackie Ostfeld at 202-548-6584 or Jackie.Ostfeld@sierraclub.org.

Sincerely,

ACA | Canoe-Kayak-SUP-Raft-Rescue
American Forests
American Hiking Society
American Society of Landscape Architects
Appalachian Mountain Club
Appalachian Trail Conservancy
Association of Outdoor Recreation and Education
Big City Mountaineers
Children & Nature Network
Choose Outdoors
Kids4Trees
Hipcamp
Hudson River Sloop Clearwater
IslandWood
International Mountain Bicycling Association
Izaak Walton League of America
National Military Family Association

National Park Trust
National Parks Conservation Association
National Recreation and Park Association
National Wildlife Federation
North American Association for Environmental Education
O'Neill Sea Odyssey
Outdoor Foundation
Outdoor Industry Association
Outdoors Empowered Network
REI
Sierra Club
The Maryland-National Capital Park and Planning Commission
The Wilderness Society
Transforming Youth Outdoors (TYO)
Trust for Public Land
YMCA of the USA

Plum Creek Timber Company Hancock Forest Management
Pope Resources Washington Forest Protection Association Rayonier
Green Diamond Resource Company Port Blakely Tree Farms

April 21, 2015

The Honorable Lisa Murkowski
 Chairwoman
 U.S. Senate Energy and Natural Resources Committee

The Honorable Maria Cantwell
 Ranking Member
 U.S. Senate Energy and Natural Resources Committee

Dear Chairwoman Murkowski and Ranking Member Cantwell:

We are writing to express our strong support for the Land and Water Conservation Fund (LWCF), and to request your help in ensuring that this program is reauthorized and permanently funded at its authorized level of \$900 million. As the program's expiration in September 2015 approaches, reauthorization of LWCF is of the utmost importance. LWCF is critical to our ability in communities across America to support local economies and maintain jobs in the woods, to meet our nation's forest product needs, to provide recreation access to sportsmen and others, and to ensure the future of America's forest lands.

As some of the nation's major forest products companies and landowners, we know first-hand the economic benefits that LWCF brings, particularly through the Forest Legacy Program. The Forest Legacy Program is a flexible and effective tool that supports our nation's forest-based economy, particularly in rural areas. According to the National Association of Forest Owners, U.S. forests support more than 2.9 million jobs and contribute \$115 billion towards the GDP.

The Forest Legacy Program has led to the conservation of over 2.2 million acres of working forest lands, primarily through conservation easement purchases, with almost 50 percent of project costs leveraged from other non-federal sources. FLP is a voluntary conservation program that brings together federal, state and private partners to achieve the common goals of protecting and maintaining forest jobs, recreational access, wildlife habitat and clean water.

LWCF brings crucial and varied benefits to participating communities and to our continuing business operations. Each year, however, the time-sensitive demands for funding through LWCF and its component programs far surpass appropriated levels. As participants in these programs, and in light of numerous multiyear projects under consideration or already underway, we

recognize that secure, long-term LWCF funding will provide reliability and stability that is essential for our business plans.

Now more than ever, it is critical to enact legislation that will provide a long-term solution for this vital program.

Finally, we want to remind you that the LWCF does not use taxpayer dollars. It is already paid for using a very small percentage of oil drilling receipts. The LWCF program was created to offset the depletion of natural resources offshore that belong to all Americans, and it should be empowered to fulfill that promise without further diversion of its intended funds.

Thank you for your attention to our concerns.

Sincerely,

Plum Creek Timber Company
Hancock Forest Management
Pope Resources / Olympic Resource Management
Washington Forest Protection Association
Green Diamond Resource Company
Port Blakely Tree Farms



VIA EMAIL AS ATTACHMENT

July 29, 2014

Senator Ron Wyden
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

As Director of Business Development for Plum Energy, a Pacific Northwest developer of small-scale liquefied natural gas (LNG) facilities and value chains, I want to take just a moment to laud your leadership on the Land and Water Conservation Fund (LWCF). Considered a clean energy source, LNG is a fuel recognized as environmentally friendly, and I am always looking for ways to strengthen that contribution. Your tireless efforts in supporting LWCF have had a significant impact on the ability of citizens of the Pacific Northwest to access recreational opportunities and preserve wildlife habitat. LWCF also supports working forests at the local, state, and federal levels. Through the Forest Legacy Program, critical timberlands are kept forested, accessible, and are able to continue providing jobs in rural communities.

As a graduate of Willamette University, I can point to literally dozens of examples of the positive impacts of LWCF in my adopted state; protecting and enhancing places like the Oregon Dunes on the coast to the Hells Canyon Nation Recreation Area on the eastern border, and many more in between. And that goodness also extends into Washington State, where Plum Energy has its headquarters. LWCF makes the Pacific Northwest a great place to live, play, and do business.

Funded through fees from oil and gas development of America's ocean floor, LWCF is an example of resource industries contributing to society for the ability to access and utilize publically owned resources. I appreciate your steadfast support of LWCF and am grateful for your leadership.

Most sincerely,

A handwritten signature in dark ink, appearing to read "Ian Burkheimer", with a stylized flourish at the end.

Ian Burkheimer
Director of Business Development



Portland General Electric Company
121 SW Salmon Street • Portland, Oregon 97204
PortlandGeneral.com

August 8, 2014

The Honorable Ron Wyden
U. S. Senate
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden:

Thank you for your leadership on the Land and Water Conservation Fund (LWCF).

At Portland General Electric we take environmental stewardship seriously. It's why we are working diligently to incorporate renewable resources into our system, why we are leaders in the effort to promote adoption of electric vehicles and deploy charging infrastructure, and why we dedicate significant resources to protecting birds and fish.

Support from the LWCF has enabled conservation efforts that complement the work PGE does along many Oregon waterways, like the Deschutes, Sandy and Clackamas Rivers, where we have boosted salmon and steelhead runs and created new recreational facilities. The LWCF is a superb tool for leveraging smart conservation initiatives and aligns with many of our own sustainability efforts.

Thank you, again, for your continued work to protect Oregon's natural treasures. Your unwavering support of the LWCF is greatly appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sunny Radcliffe".

Sunny Radcliffe
Director, Government Affairs and Environmental Policy

Input and Statement for the Record
By
Gerald E. Hillier, Executive Director
QuadState Local Governments Authority
Submitted to:
United States Senate
Committee on Energy and Natural Resources

**Hearing on the Reauthorization and Potential Reform of the
Land and Water Conservation Fund (LWCF)**

April 22, 2015

Thank you Mr. Chairman, Ranking Member, and Members of the Committee for permitting me to make a statement for the record as a follow-up to the April 22, 2015 hearing on the Land and Water Conservation Fund (LWCF). The federal land acquisition component of this fund and program is a critical and important issue among our membership.

QuadState Local Governments Authority is a nine-county multi-state joint powers authority. The counties in our organization organized in 1999 regarding issues associated with the listing and subsequent management of public lands associated with the listing of Mojave Population of the desert tortoise. While retaining that interest, and extending it to the proposed listing of the Sonoran Population of desert tortoise in Arizona, we have expanded our interests to include advocacy involving a variety of public land issues facing public land dominated local government jurisdictions in the 4-state region of the Southwest.

Virtually all of our counties oppose further expansion of federal estate within their jurisdictions. And even those with smaller proportions of public land have reservations regarding expansion of the federal ownership and jurisdiction. Much of the concern involves loss of tax base without offsetting payments from the federal Payment in Lieu of Taxes (PILT) program. I will provide some direct commentary on that at a point further in this statement. Suffice it to say here that LWCF and PILT are inexorably linked as regards counties with significant percentages of federal entitlement acreages.

In the recent past, several of our member counties have experienced significant losses in private land for a variety of purposes, whether by direct acquisition under the Land and Water Conservation Fund (LWCF), by acquisition by third parties and NGOs for ultimate sale or donation to federal or state agencies for management, or by direct "donation" under a philosophy called "compensation" which involves transfer of private land to public agencies for mitigation for projects undertaken within habitat of listed or candidate species.

So that it does not get lost in this full statement, I wish to present our recommendations for the LWCF program going forward, the principal theme of the April 22, 2015, hearing.

1. That federal land acquisitions be viewed as a minimum program, and that open ended funding not be provided to the land management agencies. There is belief in many quarters now that most cannot adequately administer what they currently have, let alone take on additional responsibility. In the future all proposed acquisition must be presented, vetted and approved by

Gerald Hillier
 Post-hearing Input Statement
 United States Senate Energy and Natural Resources Committee
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the appropriate Congressional committees on merit and need for expansion of the federal estate.

2. Establish a requirement that all federal acquisitions receive concurrence from the affected local government prior to its inclusion in a budget submission.
3. When land is federally acquired, the losing county will receive property tax payment equivalent to the taxation level at the time of acquisition, in perpetuity. In other words, extend Section 6904 provisions of PILT to all federal agencies, whether the land is in wilderness or not, and extend the payments in perpetuity. We see no reason for the 5-year cutoff of these payments. This is an especially critical point in counties that are capped under the PILT formula, which are most of those in rural and desert West. When this provision was developed in 1976 with passage of the PILT legislation, it was assumed acquired lands outside of NPS administration and National Forest wildernesses would be added to the productive federal estate and provide income and revenue streams to both local governments and local economies. Times have changed, and legislation must reflect that most current acquisitions are for "conservation" or protection of habitats, and are not likely to be added to a source of revenue production or economic growth.
4. Eliminate federal land acquisition and the concept of "compensation" for mitigation. Agencies need to be challenged to come up with innovative and creative means of project mitigation, but acquiring a larger federal estate should not be one of them. Further, such compensation adds to the federal estate without congressional oversight. As pointed out below, such compensation is often at ratios that reach 5 acres "donated" for every acre subject to use or development.
5. Restrict the operation of land trusts activities who acquire private land for the purpose of conservation or protection (non-development), with a business plan or model that has the land ultimately acquired by a federal agency with LWCF funds. Land trusts can often move much more quickly to acquire available private land than can an agency, but the process sets in motion a track for reimbursement at fair market value after federal acquisition funds are appropriated. And in some cases this activity scenario has the land trust setting the acquisition priority, and neither the agency nor Congress. At a minimum, a holding period of, say, ten (10) years should be applied before any federal reimbursement is made, though gifting, at no cost to the federal government would continue. But such gifting should still be subject
6. Undertake a review of all land acquisition programs initiated by the federal agencies, regardless of authority or funding. Conclude the review by adopting direction to the agencies regarding acquisition criteria, limitations, and integration of corresponding disposal of unneeded federal lands within the same jurisdictions to offset property tax losses. This would specifically include those acquisitions that carry out Habitat Conservation Plans (HCPs) under Fish and Wildlife Service agreements, as well as the Department of Defense Readiness and Environmental Integration (REPI) Program. There may be others.

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7. Consider changes to the basic LWCF to allow direction of funds to activities other than land acquisition by federal agencies, specifically toward maintenance of infrastructure and public facilities which are integral part of management of sites and areas for public benefit. It has become clear that the maintenance backlog will never be reduced if reliance is placed solely on appropriated operating funds.

The concern of our membership regarding federal land acquisition can best be summed up by a concept that seems to have emerged which I call re-federalization of the West. Despite controlling some 75% or more of many counties in the West, the agencies, and some from the public, still seek lands which passed to private ownership over the past 150 years but which today are believed to today to possess public values for "conservation." Simply stated, federal acquisition of these private lands will limit future development opportunities, including access to minerals which are increasingly difficult to develop even with legislated protections to "valid existing rights."

The second concern of our membership regarding federal acquisitions is de-population of the West. While many acquisitions are aimed at specific tracts, many have occurred regarding ranching and farming operations that have become "inholdings" within newly established National Park units or simply offered for sale to developers (currently dominated by renewable energy firms) to provide for meeting mitigation requirements for the project proposals. When ranches are sold, and federal grazing privileges are retired, the families are gone, and a presence on the vast federal land estate is essentially left to a shrinking staff of BLM or NPS rangers to oversee public use.

Re-federalization seems to have an underlying concept that the original settlement laws were somehow misguided, and that they must be overcome, and return the land to what it was pre-settlement, say 1880, though with access and infrastructure being present as current, and despite costs for maintenance and provision of services. Such provision of services, included emergency services for search and rescue are largely a function of local government, and are expected, even with reduced tax revenue streams which are the result of federal acquisitions with no offsetting revenue.

In our experience both re-federalization and de-population seem to have an underlying bias against resource use and development such as mining and ranching. Renewable energy projects have been accepted, though not without a degree of controversy relative to impacts to visual landscapes as well as access.

QuadState Local Governments Authority passed a resolution in 2010 opposing further land acquisitions, particularly as related to private land acquisitions which were and are occurring as part of providing mitigation for the many renewable energy projects being proposed for the Mojave and Sonoran Desert parts of several of the member counties. The resolution was carried forward to the National Association of Counties (NACo) Public Land Steering Committee, which has continued to renew its agreement with it, and has now incorporated it into the NACo Platform. I am attaching a copy of the resolution to this testimony. It reflects a unanimous concern of the member counties, even those which are not capped for PILT payments, concerning shifts in land ownership from private to public ownership and control.

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The table below presents a picture of our member counties today.

County (members of QuadState LGA)	Total acres within county	Fed. Entitlement acreage (2014 PILT acreage)	DOD major holdings	Percentage of county in federal control (excl. DOD)	PILT status	PILT payment per federal entitlement acre (2014)
Imperial CA	2,868,480	1,313,723	US Navy, West Mesa; US Navy Chocolate Mtns Range	45.8%	Capped	\$2.57
Inyo CA	6,545,280	5,516,855	US Navy NAWS	84.3%	Capped	\$0.32
Kern CA	5,223,209	1,072,553	Edwards AFB	20.5%	Open	\$2.46
La Paz AZ	2,888,960	1,848,763		63.9%	Capped	\$1.30
Lincoln NV	6,807,680	6,411,522	USAF, Area 51	94.2%	Capped	\$0.14
Mohave AZ	8,615,040	6,421,638		74.5%	Capped	\$0.54
Nye NV	11,621,760	8,548,942	DOE, Nellis	73.6%	Capped	\$0.36
San Bernardino CA			US Army NTS; US Navy Mojave B Range; MCAGCC; Edwards AFB			
	12,867,200	8,420,373		65.4%	Capped	\$0.39
Washington UT	1,555,200	1,146,747		73.7%	Open	\$2.54

In the table above, several counties have unique characteristics which play a role in their status and balance of ownership.

- Most of the “private” land in Inyo County is owned by Los Angeles Department of Water and Power. In addition, much of the federal land in the Owens Valley is withdrawn from disposal or uses that might conflict with delivery of water to Los Angeles. As a result, only about 3% of the county is truly private and subject to local control.
- Much of La Paz County is part of the Colorado River Indian Tribes (CRIT) Reservation, and not part of either the public domain or private land.
- Three of the nine counties have PILT computed under Alternative B, which limits payment to \$0.36/acre, but does not subtract prior year payments. Note, however, that in all three cases, Inyo, Lincoln, and Nye, the counties are further limited by the population cap on payments. This means that any expanded federal ownership will not be reflected in offsetting higher PILT payments, since a county cannot receive more PILT than its population will allow.

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In many respects Kern County is the outlier, having a smaller federal acreage, and much private land in the prime agricultural region of the San Joaquin Valley. Further, because of private land, and long-standing federal oil and gas leases, it has both a thriving oil and gas industry which has continued, plus has provided land for intensive wind energy development in the Tehachapi area. Ironically, but worth noting, much of that energy has been developed on private land, the remnant sections from the checkerboard land pattern of the railroad land grant. This is the same former railroad grant land that has been sought to "block up" federal holdings by both agencies and NGOs. And in the case of San Bernardino County the effort has been successful to a large extent. With Kern, the point is proven that these lands do have economic viability, if not now, perhaps sometime in the not too distant future. In both cases, the grant lands were largely leased to ranching operations, so they land did provide revenue streams.

The capping noted in the table is a subject for another forum. Suffice it to say here that there are almost 200 counties which are limited in their PILT payments by the cap established by the population calculation in the PILT formula.

- ✓ The take home message from the table above is that this pattern of dominating federal land ownership is not unique to the QuadState LGA member counties. It is repeated throughout much of the West. Federal controls on development, settlement, and even historic land uses dominate these counties. Adding to the federal estate exacerbates the existing situation of diminishing economic value and agency attempts to prevent revenue-producing uses to return.

The percentages in the table above don't tell the full story.

- Inyo County estimates that only 3% of its jurisdiction is in private ownership and can be developed and managed by local interests. The Naval Air Weapons Station (China Lake) takes a huge area in the south part of the county. The headquarters area and city where most of the staff reside is in Ridgecrest, which is in Kern County, thus Inyo sees no economic benefit from this DOD base.
- La Paz County's area is dominated by the CRIT Indian Reservation, and while there is both farming and gaming occurring, much revenue flow misses providing community benefits and tax revenue to the county. (CRIT also has an area in San Bernardino County.)
- Lincoln County's 94% federal is actually far worse and likely closer to 98% or more. The entire southwest quadrant of the county is included in the U.S. Air Force Nellis Range. This area also contains the stuff of myths and legends, but little local revenue: Area 51.
- Mohave County's patterns of ownership and federal acquisitions are difficult to quantify since BLM did a major revision of federal entitlement holdings (mostly affecting BLM acreage) in 2005. It, too, has significant Indian Reservation land, which is not accounted for in the table. Currently the County is battling an acquisition effort led by Bureau of Reclamation (BOR) for the Planet Ranch property on the Bill Williams River. Part of the ranch property lies also in La Paz County. BOR has sought the property for years, since it was acquired for water rights by Scottsdale. Arizona Game and Fish has sought the property for years to "redevelop" for the purpose of

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creating/restoring wildlife habitat for implementation of the Lower Colorado River Multi-species Conservation Plan. The acquisition is convoluted, but involves a mining company retaining some of the water and moving rights to another basin, some form of donation and a lease among BOR and AGF. What is noteworthy is that the County's concerns relative to productive private land and tax base have been totally ignored throughout the entire process. A congressional mandate was approved at the end of the 113th Congress, directing work on the transfers to occur during 2015. Mohave County has filed suit to restrict the transfer.

- Nye County also has far more federal estate than can be documented here. The U.S. Air Force Nellis Range dominates a huge area of the eastern part of the county. The Nevada Test Site of the Department of Energy also occupies all or part of 38 townships, some 875,000 acres closed to the public and economic use. Nye County is the site of the Yucca Mountain Nuclear Waste Site, which has been defunded, but which would have brought at least a small amount of contractor and federal employment to the county from the federal land presence.
- San Bernardino County's experience is worthy of a detailed look at what has happened to its private acreage as well as its changes in land use. The expansion of the federal estate can be well documented as it has occurred over the past two decades. Its experience as the Poster Child regarding federal acquisition is worth detailing, since it could well apply in the future to any of many other counties in the West. First District Supervisor Robert Lovingood's testimony before the House Federal Lands Subcommittee at its April 15 hearing touched on some of the points, and the full statement expanded on them. But they are worth repeating and expanding upon here, since they well may prove a model because of the inter-relationship of LWCF, habitat acquisition to carry out programs involving federally listed species, and the PILT program.
 - Rather than 65% federal, the County is 81% federal, with the addition of 1,929,821 acres of military land to the federal "entitlement" acreage used for PILT calculation.
 - Since 2000 (the first year for which we have documentation) BLM acreage has increased from 5,634,098 acres to 6,2218,816 acres, a gain of 584,718 acres; NPS acreage has increased from 1,475,471 acres to 1,679,666 acres, a gain of 204,195 acres.
 - 1994 was the year of reckoning for the County. The passage of the California Desert Protection Act (CDPA) led to expanded units of the National Park System, a new National Preserve administered by NPS which had much private land within it, and creation of some 4.5 million acres of wilderness in all three NPS units plus BLM land. Additionally, in 1994, U.S. Fish and Wildlife Service designated critical habitat and adopted its recovery plan for the desert tortoise, establishing Desert Wildlife Management Areas (DWMAs) which BLM adopted in subsequent planning. This covered 6.4 million acres in the Mojave and Colorado Desert region across the four states. 54.5% of all critical habitat lies in San Bernardino County, representing 7 of the 16 critical habitat units. This sets in motion conservation and protection programs, not only in San Bernardino but all the other counties belonging to QuadState, with the exception of La Paz. (La Paz has its own issue with the Sonoran Population where listing of the tortoise is pending.)

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- The CDPA established the Mojave National Preserve, transferring a million and a half acres from BLM multiple use management to National Park Service. Even though livestock grazing was specifically allowed to continue in the region, within three years all but one of the ranch operations had been purchased by a conservation organization, the leases retired, and the private base property turned over to the Park Service. We surmise the source of ultimate federal acquisition had to involve LWCF funds. These acquisitions contributed to the de-population of the region, as well as its re-federalization. NPS paid the ranchers for their property, and then contracted with them to dismantle the ranch infrastructure (fences, well equipment, pipelines, etc.) and allowed them to salvage the materials.
- A second anecdote will also add to the aggressiveness with which federal acquisitions occur. With the passage of the CDPA, the southeast boundary of Death Valley National Park was extended east to State Highway 127 and added the Ibex Dunes and Ibex Mountain, just south of the Inyo County line. The owners of Rainbow Talc Mine had just received approval of their plan of operations for re-opening a high value talc mine from BLM as the CDPA was passed. The NPS indicated, as the new landlord, the miners must start over with full EIS required. After two years of wrangling and analysis (and even presentation at a House hearing in the 1996-97 period) NPS finally worn the owners down, and paid them for the property. The primary value from the NPS standpoint was the presence of a hand-built headframe that the claimants had built over the past 30 years. (Death Valley NP celebrates its mining past, but assures little to none occurs in the present.) From an easy drive to the mine on a dirt trail, access to see the historic headframe is now a five-mile hike, and beyond the capacity of most visitors to ever see, and the high quality mineral has been removed from any economic use. This pattern has been repeated throughout the Southwest, and is likely to continue for the foreseeable future as long as “conservation” legislation continues to be passed, and National Monuments are administratively designated under the Antiquities Act.

All of these factors have combined to drive the 788,913 of private land that has been lost to federal ownership and control in the county. A significant part of this total transfer was the result of the arrangement between the Catellus Corporation (successor to Southern Pacific RR Land Company), a land trust, and BLM. A significant part of the final payoff for the checkerboard lands across the desert came from the Land and Water Conservation Fund. Currently there are proposals to place a significant part of this land in a National Monument, which would have the effect of confirming fears that acquired lands, even by BLM, assume a mantle of conservation value and multiple use takes a back seat.

- The West Mojave Land Use Plan affects San Bernardino, Kern and Inyo Counties. Begun in 1990, it was not completed until a record of decision in 2006. It was subsequently litigated, and BLM is still carrying out court-ordered remediation. The Plan, even under BLM decisions, eliminated sheep grazing on the mixture of public and private land in the region, again part of the remnant railroad checkerboard land. While not advocating for private land acquisition directly, its adoption of the DWMA pattern as tortoise conservation areas (TCAs), and doubling for Mohave

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ground squirrel habitat, it laid out a potential program for reducing or eliminating private land in the region. This has proved to be a target for directing persons needing mitigation land to acquire for subsequent "donation" to either the BLM or the State of California. (It is fair to note that the QuadState member counties intervened in the litigation on West Mojave on behalf of the government. The Authority argued on behalf of the Endangered Species Act aspects of the case regarding tradeoffs of mitigation and application of the ESA. The Federal District Court approved that aspect of the arguments, remanding only BLM's route designations in the region.)

Outside our QuadState LGA membership, I want to touch on the Clark County Nevada situation. Clark did not join the QuadState LGA, preferring to develop its own Habitat Conservation Plan (HCP) and Multi-species Conservation Plan (MSCP), and proceed in cooperation with USFWS. It collected development fees from those who built out the Las Vegas Valley, at \$585/acre. Using these funds it implemented mitigation for desert tortoise, among other conservation actions. While not under the aegis of the LWCF, it does reflect the degree to which federal and local officials will aggressively seek private land and abate legally authorized activity on public land which is deemed adverse to species conservation and recovery. With funds from the development fees, FWS agreed that getting rid of permitted livestock grazing was an appropriate mitigation. Clark County then offered to buy out all the grazing permits and ranches in the County, 52 in all. All but one sold. (The exception, Ammon Bundy, is a case in itself, but I have been assured that he was made an offer.) The point here, once again is the de-population effect of land acquisitions regardless of which agency or level of government carries them out. In this case, 51 ranch families were eliminated, and it was driven by USFWS and its conclusions that domestic livestock use on the range was deleterious to maintaining and improving desert tortoise habitat. This was a specific recommendation in the Service's 1994 Recovery Plan.

A revised recovery plan for desert tortoise was prepared by FWS in 2011. As part of moving forward and gaining improved commitment for implementation, FWS organized Recovery Implementation Teams, and work groups. They were composed of biologists, a few user representatives, and a single local government representative on each of the work groups. Those groups, of which there were three work groups in California, three in the Nevada-Arizona-Utah area, and one covering the Red Cliffs Reserve in Utah, near St. George. All continued to press for land acquisition as being a top priority action item.

Renewable energy development created a land rush in the desert. Developers have sought siting for projects, primarily solar, but also for wind. Even though excluded from prime desert tortoise habitat, most projects, particularly solar, took large areas, some of which unavoidably included habitat for tortoise and other species of concern such as Mohave ground squirrel, burrowing owl, and a variety of plant species. As a result, developers bought, or took options on available tracts of private land throughout the desert because the wildlife agencies, state and federal, required "compensation," at a rate often equal to 3:1 and at times reaching 5:1. Three to five acres of private land donated to conservation for every acre upon which development is allowed! These compensation lands are then either transferred to BLM if public land development is involved, or to the California Department of Fish and Wildlife (CDFW) for private land development. So besides the federal acquisitions which are the subject of this hearing, counties have also lost a substantial private acreage to the State of California, particularly in an area west of Barstow in the Harper Lake area.

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The current culmination of this program, which affects all four California counties of QuadState, is the Desert Renewable Energy Conservation Plan (DRECP). None of the counties have signed on (though they have participated in meetings and coordination activities), and after release of the draft, BLM and the State of California have opted for proceeding with a go-it-alone process. That said, the plan will lay out areas upon which renewable energy can take place with minimal environmental impacts. The concern is the designation of major "conservation areas" which will serve to mitigate the allowable and targeting development goal. Given the amount of wilderness already created in the desert part of California under previous acts of Congress, counties are apprehensive regarding additional areas that will be set aside for "conservation" which most conclude is restricted use or non-use, and will carry further pressure to wipe out private land "inholdings."

Also continuing is the DOD REPI program. This program, Readiness and Environmental Protection Integration, has been active in seeking acquisitions. About three years ago a contract between the Navy at China Lake and Edwards AFB with The Nature Conservancy sought lands around the bases so as to eliminate private land and maintain base boundary integrity without base expansion. It was not successful because it coincided with the renewable energy land rush, but it is our understanding it will be returning to the desert soon, with emphasis around Ft. Irwin this time.

One of the issues which draws our negative concern about land acquisitions by the federal agencies involves a fundamental tenant of BLM which seems to be disappearing: multiple use land management. Acquired lands have increasingly taken on an aura of "conservation lands" which in large part means non-use. This is particularly true of mitigation lands. The wildlife agencies insist that non-compatible uses such as livestock grazing be prohibited and mining be restricted or prohibited. One of the driving forces behind the proposed Mojave Trails National Monument in California in the recently introduced S. 414, besides protecting iconic Route 66, is to permanently assure the former private land transferred to BLM in 1999 and 2000 will not be available for solar or other leases on the acquired land. The National Monument would also withdraw the land from the operation of the mining laws from entry and location.

What has all this land acquisition cost? From a direct economic sense of uses foregone, it is impossible to analyze a negative. We don't know what kinds of enterprises might have made use of the private lands which counties have lost throughout the region. We do know that in the west desert sheep grazing which had been an annual activity in the spring for over 100 years, has disappeared. While this was the direct result of the desert tortoise listing and a jeopardy opinion of the Fish and Wildlife Service, the secondary effect was that the owner of the private land who leased to the ranchers lost their revenue source, thus speeding a decision to simply dispose of land that could no longer produce revenue.

We also know, with the establishment of the Mojave National Preserve NPS and a conservation organization moved quickly to liquidate all of the ranching in this valuable high country of the Mojave in San Bernardino County. One outfit remains, by choice. But the private land, and the ranching families, are gone, as are the support facilities. A similar scenario has played out in Nevada under the aegis of the HCP. Part of the effect of re-federalization of land in the West is also de-population of the rural areas of the West; they go hand in hand!

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De-population does not mean any less demand for services, especially from County governments. Even without residents, the public still needs the county road network, and by inviting more people to visit the wildlands the need for emergency services such as search and rescue, and even law enforcement actually increase, even with lower revenue coming in.

What we do know, but can't fully document, is the continuing and permanent loss of county property tax revenue. Most of the desert's undeveloped land did pay \$1.00 or so per acre in property tax every year. Since the total has changed each year, both with respect to actual acreage increasing, and changes in private land lost, either to federal, state, or land trust acquisition, and tax rates also change at the margin. The areas around the ranches which contained structures were assessed at higher values. It is fair to estimate that San Bernardino County, on the basis of the acreages, locations, and assessed valuations that the County has lost \$1 million to perhaps \$1.5 million per year in tax revenue from the direct loss of tax base. This loss is in perpetuity, not counting the foregoing of any future economic use or activity. Using 2000 as a base year, I will opine that San Bernardino County has lost between \$15,000,000 and \$20,000,000 in tax revenue over the past 15 years. Other counties in the QuadState organization have not experienced this degree of loss, but the potential exists for other states to lose private lands to a similar extent.

And relative to economic opportunity I want to bring to the Committee's attention that in California industrial-sized solar development has been made tax exempt. So without changes in state law removing this status so counties can receive some revenue flow from renewable energy, that development source is off the board for revenue flow. And from a federal perspective, there is no revenue sharing with local governments from lease payments or royalties.

I could not make this statement without specific reference to the Payment in Lieu of Taxes (PILT) program. While surprising, there is an almost universal lack of knowledge among federal field officials regarding this program and its calculations. If there is knowledge, there is the myth, that some have reported to me having seen in writing, that land acquisitions cost the county nothing, "they'll just get it back in PILT." The table at the beginning of this statement reflects federal payments to each of our member counties. For the 2014 payment, the PILT base payment was \$2.58 per acre under Alternative A, and \$0.36 per acre under Alternative B. Without getting into the weeds on PILT formulas, suffice it to say that the optimum or sweet spot for PILT payment is approximately 1.3 million entitlement acres. Above that, and with 50,000 population, PILT remains a constant, adjustable only by the inflation factor built into full-funding or the appropriations process.

- ✓ The take-home message is simply that for large federal land counties such as Inyo, Nye, Mohave and San Bernardino, the transfer of private land to the federal estate, results in no PILT to offset the loss.

There is an exception. Under Section 6904 acquisitions in National Park Service administered areas, and areas within National Forest Wilderness Areas, continue to pay property taxes on acquired land, but only for five years. Among our membership the 2014 payments were \$1,276 for Inyo County, \$22,254 for San Bernardino, and \$76 to Washington County. When PILT was written in 1976, there was an underlying assumption that private lands acquired in the national forests or BLM areas would produce a revenue stream to the agencies and potentially the economic activity would yield benefits to local

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government. The times have changed, and this outlook is no longer viable. In Clark County Nevada, at least its model provided for private land development in the valley, which added to tax base, and offset the losses in economic activities on public land and the loss of tax base in rural areas.

In conclusion, I recommend that committee undertake a review of all federal land acquisition programs, both in the context of the reauthorization of the Land and Water Conservation Fund, and in providing oversight to all the other means in which federal agencies acquire private land and set them aside for uses (really non-use in practice) outside their mandated mission. This hearing is likely the start of such a review.

In summary I recommend:

1. Land acquisitions by federal agencies be minimized through congressional direction.
2. Federal land acquisitions receive concurrence from local governments before they are consummated.
3. Expand Section 6904 of PILT to include property tax payments from lands acquired by all federal agencies, and provide that such payments shall continue in perpetuity.
4. Eliminate the concept of "compensation" as a function of mitigation.
5. Restrict the activity of land trusts acting as brokers or middlemen in land acquisition by providing a minimal holding period prior to any transfer to a federal agency which involves payment for the land from appropriated funds.
6. Provide a full review over all the means by which federal wildlife and land management agencies expand their holdings external to congressional oversight and direction, and assure a public process and vetting is included in such acquisition.
7. Amend LWCF authorities to allow the use of funds for infrastructure maintenance. Such change in direction should have the outcome of reducing land acquisition, and not be treated as an additional program undertaking.

Thank you for the opportunity to provide this statement and input to the Committee. I welcome comments, and offer the Authority's assistance to making further input and participation in developing a program which reduces the effects of land acquisitions and additions to the federal estate, and assuring counties retain sufficient land to provide viable economic development opportunities.

ARNIE ROBLAN
STATE SENATOR
DISTRICT 5



OREGON STATE SENATE
900 COURT ST. NE, S-417
SALEM, OR 97301

August 21, 2014

Senator Ron Wyden
U. S. Senate
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

I am most grateful for your ongoing support and involvement with the Coastal Caucus, and your continued presence at the Oregon Coast Economic Summit is truly a highlight of this annual event.

I noticed a news release from Governor Kitzhaber's office recently, announcing another \$657,000 coming to Oregon from the Land and Water Conservation Fund (LWCF), and I made a mental note to take a moment to thank you for your continued leadership on this invaluable funding mechanism.

Since its inception fifty years ago, LWCF has invested nearly \$4 billion into protecting state and federal lands. These monies enable our state and localities to give more opportunities for youth and families to enjoy the outdoors while protecting critical habitat for wildlife. LWCF dollars helped acquire additional land at spectacular Cape Kiwanda, improved visitor facilities at coastal waysides, and built boat ramps, in my district. And clearly, the benefits of LWCF monies go far beyond conservation: they also help to enhance the tourist experience in Oregon, which, in turn, creates much-needed jobs.

Senator, as a legislator and a citizen of Oregon, I applaud your leadership, helping to preserve and enhance many of the most special places in Oregon, while helping to employ Oregonians.

If I can be of service in assisting you in maintaining and enhancing LWCF, you can count on my support. I am most appreciative of your visionary leadership on this prized funding tool.

And, again, thank you for your participation in this week's summit. Your presence added significantly to the event.

Sincerely,

Senator Arnie Roblan



Sept 8, 2014

Senator Ron Wyden
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

I know that you've been working diligently to reauthorize the Land and Water Conservation Fund (LWCF) and as a small businessman in the biofuel industry in Central Oregon, I thought I'd take just a moment to give you the encouragement and appreciation for your efforts that you so richly deserve.

I read of your call to re-authorize the LWCF, noting its 50th anniversary, and I share your passion for this important legislation which has done so much to "preserve special places in Oregon and across America," as you so eloquently put it.

In Deschutes County alone, almost \$2-million in LWCF monies have created numerous recreational opportunities including new swimming pools in Bend, a sports complex in Redmond, and hiking trail creation and rehabilitation all over Central Oregon. These facilities are used by tens of thousands of people every year, and I have no doubt the many hikers, birdwatchers, swimmers and sports enthusiasts who take advantage of these remarkable public spaces have no idea how they were funded.

LWCF is a critical component in creating many of the amenities enjoyed in here in Central Oregon, as well as the preservation of wildlife areas, the creation of working forests, and the protection of wetlands in the more rural areas of Oregon.

I wholeheartedly encourage you to continue in your efforts to persuade your colleagues of the value of LWCF, and I thank you for your work.

Sincerely,

Jeff Roia
President, Go Bio Co
64682 Cook Ave., Suite 71
Bend, OR 97701
541.410.6707

Oct. 12, 2014

Senator Ron Wyden
223 Dirksen Senate Office Building
Washington, DC 20510

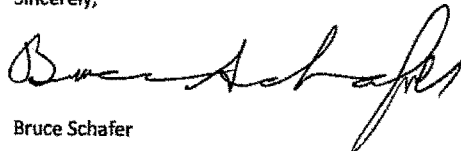
Dear Senator Wyden,

I just learned of your call for permanent funding for the Land and Water Conservation Fund (LWCF) and I want to take a moment to thank you for your efforts. My professional background is in software engineering and as a university administrator, although I'm now retired. I remain active with nonprofit and educational programs. My enthusiasm for the outdoors includes kayaking and sailing where I enjoy identifying and observing birds, mammals and plants.

Experience has shown me that a deep talent pool is a requirement for Oregon to successfully compete in the global marketplace, and Oregon's livability has been greatly enhanced by projects funding by LWCF. The improvements in our recreation infrastructure, the preservation of our most scenic areas, and the conservation of our forests and wildlife — all benefits of LWCF — *give Oregon an important leg up in attracting and retaining talented employees.* We need the people who come here to hike in our forests, paddle our rivers and estuaries, and play ball on our fields. All of these have been enhanced in some way by monies brought to Oregon by the LWCF. So I appreciate LWCF not only as a conservation and recreation tool, but as an important economic development asset.

Thank you for your leadership on permanently funding LWCF and for reminding your Congressional colleagues of the critical value of this important program. Your efforts are truly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Schafer", with a stylized, flowing script.

Bruce Schafer



300 E. Main Street, Ste. A • Medford, OR 97501

September 10, 2014

Honorable Senator Ron Wyden
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

It's a take a few more moments to appreciate people for their efforts, rather than ask them for something, so I am relishing this opportunity to thank you for your leadership on the Land and Water Conservation Fund (LWCF), which has had such a significant positive impact in the Jackson and Josephine Counties.

As Executive Director of SOREDI, Southern Oregon Regional Economic Development, Inc., I can say that LWCF has made a lasting difference to the residents and businesses of the area. The multiple expansions and improvements of Lithia Park have been funded by monies from LWCF, as well as expansion of Valley of the Rogue State Park. In Josephine County residents and visitors have benefitted from improvement to city parks in Grants Pass, Merlin, and Cave Junction, all thanks to LWCF dollars.

Projects like these provide our citizens with more than the opportunity to participate in recreation and appreciate nature as they also contribute to a quality of life that lures talented people to our region. Our companies frequently compete nationally for skilled workers so the wonderful outdoor recreation opportunities funded by LWCF help Southern Oregon be a highly desirable area to live, work, and play.

The Land and Water Conservation Fund has truly played a part of making our region a special place and we appreciate your continuing leadership on this important program.

Yours truly,

Ron Fox
Executive Director

FOUNDING UNDERWRITERS

City of Grants Pass
City of Medford
Jackson County
Josephine County

July 2014

EXECUTIVE UNDERWRITERS

AmericanWest Bank
Asante Health System
Avista Utilities
Bank of the Cascades
CDS Publications
City of Ashland
City of Central Point
Coquille Indian Tribe - CEDCO
Cow Creek Band of Umpqua
Tribe of Indians
Harry & David Operations
Hunter Communications
Lithia Motors, Inc.
Mid Rogue IPA/Care Source
Moss Adams, LLP
PacifiCorp
Pro Care Software
Regence BlueCross BlueShield
Rogue Credit Union
The Boardroom
Umpqua Bank
US Bank

UNDERWRITERS

Adroit Construction Co., Inc.
Amy's Kitchen
Ausland Group
Baltzer Construction Services
Boise Cascade, LLC
Cascade Wood Products
Charter Business
City of Eagle Point
Evergreen Federal Bank
Fire Mountain Gems & Beads
Jackson County Fire District #3
Key Bank
Knife River Materials
KOCAP Enterprises, Inc.
Nail Tribune
Medford Fabrication
Met One Instruments
Murphy Company
Ogden Roemer Wilkerson
Providence Medford Medical Center
R.A. Murphy Construction
Rogue Community College
Rogue Valley Sewer Service
Rogue Disposal & Recycling
S & B James Construction
Schwabe Williamson & Wyatt, P.C.
Southern Oregon Sanitation
Southern Oregon University
Tekmanagement
The Job Council

May 6, 2015

Honorable Lisa Murkowski, Chair

Honorable Maria Cantwell, Ranking Minority

Committee on Energy and Natural Resources

United States Senate

Washington, DC 20510

Dear Senators Murkowski and Cantwell

I write today as a concerned citizen with a professional background in policy research and national advocacy for public recreation and parks from 1967 to 2005. From 1975 until retirement I served as director of Public Policy for the National Recreation and Park Association, a national membership organization of citizens serving on public recreation and park boards and commissions, and executives and staff that plan, design and manage an incredible array of public resources and services. One of my major objectives was to engage in research in support of annual appropriations, and periodic improvements to the Land and Water Conservation Fund Act. My organization also supported several other national public laws, policies and practices that enhanced recreation access and services.

I also have a continuing personal interest in parks and recreation and their importance to the health and wellness of society at large; Thus, I abhor statements by public officials, the media and, on occasion, even the medical community who refer to the "recreational use of drugs." Statements of this nature reflect a basic ignorance of the importance of recreation to individuals and to society at large. The results of LWCF investments tend to counter thoughtless statements.

LWCF Reauthorization and Appropriation Levels

The principal policy objective of the act is first and foremost to improve public health through 50/50 federal/state public partnerships and federal land systems. This requires thoughtful long term planning, program assessments, reliable appropriations, and many other actions to create and sustain intergovernmental partnerships and incentives. The 2012 annual *LWCF Report* (The latest available due to severe staff limits), reported unmet state and local needs of \$18.6 billion.

Thus, the LWCF act should be reauthorized for at least ten years and at substantially higher appropriation levels, consistent with the annual inflation index or some portion of it. The Presidents Commission on Americans Outdoors established by President Reagan and chaired by then Tennessee governor Lamar Alexander recommended an annual authorization of \$1 billion. Since the present authorized funding level of \$900 million annually was established in 1979 and continuing to 2015 the inflation index has increased by 225.2 percent or to about \$3.3 billion. Other actions should also be taken, including regular appropriation of authorized but as yet un-appropriated balances credited to the LWCF Treasury account. Given the uncertainty of long-term availability of public revenues derived

annually from the Outer Continental Shelf the fund should remain available for future generations by “banking” these diminishing public resources.

Authorized Allocation Formula

The act should be amended to return to its initial allocation formula of 60 percent state/local and 40 percent federal land systems as established by Congress for the initial five years of the program. That ratio was urged by western members of the House Interior Committee, who also argued successfully that state and local governments in the West needed funds for development of facilities to enable public recreation access and use. The objective of the initial argument was reiterated by witnesses before the Reagan Commission who repeatedly urged members to emphasize policies and funds that addressed the need for “close to home” investments. No one should ignore the public imperative to conserve and expand the several public values associated with our national resource systems, but recreation use of state and local parks tend to dwarf the federal numbers.

LWCF Program Responsibilities

During subsequent amendments to the act a House-Senate conference committee adopted an amendment, at the recommendation of a western state U.S. senator, that the allocation formula be reversed to provide that “not less than 60 %” of annual appropriations be available for land acquisition in the four federal systems—national parks, forests, refuges, and the public domain (BLM). That amendment, of course, removed all protection for the state/local grants program.

In an equally stressful action, the Bureau of Outdoor Recreation (1962)/Heritage Conservation and Recreation Service was abolished by secretarial action and its several functions, including all LWCF responsibilities, (importantly budget development and requests), were transferred to the National Park Service. NPS, of course, as a major federal land managing agency has competing budget interests, thus and an immediate budget “conflict of interest” was created. NPS witnesses appearing before Interior appropriation subcommittees frequently failed to mention the LWCF grant program, and if asked, replied that the budget request was adequate. Subsequently, annual budget requests and appropriation levels fell to about \$25 million annually for a number of years.

The committee can and should direct that budget/appropriation requests and administration of the LWCF Program be removed from a land management agency and placed in the Office of the Secretary of the Interior.

Budget, Appropriation Levels and Conditions

Appropriation levels should be sufficient to “make a difference,” that is, to encourage state and local partners to engage in assessments of present and future needs, to plan investment accordingly, and to move aggressively to assure the availability of non-federal matching funds. The present state population-based apportionment formula should be retained, with an examination of the present Statewide Comprehensive Plan requirements to determine if plans are both strategic and truly meet state and local priorities. The committee should consider the practicality of inviting state congressional

delegations to comment during their states planning process. A portion of annual appropriations should be retained by the Secretary of the Interior and competitively made available to focus on key national goals—improved health and wellness, resource conservation, environmental integrity, special urban and/or small community public needs, economic growth, social wellbeing, and perhaps others. The most critical projects, especially those in economically distressed places, should be eligible to receive a more favorable grant percentage/lower local or state match requirement.

Traditional “maintenance” would continue to be ineligible as grantees would be expected to have sufficient governmental structure, resources, and staff qualified to protect investments.

Protecting Aided Resources in Perpetuity—Section 6(f)(3)

The act obligates a state, regional or local grantee to protect LWCF-aided sites (or entire sites if an aided project is part of a larger resource area), in perpetuity. This requirement is critical to the continued expansion and upgrading of a national network of park and recreation public places. Absent this required high degree of protection one informed individual remarked: “Absent this requirement, LWCF becomes just another grant program.” The legacy of over 42,000 aided projects attests to this.

I would be happy to meet with you to share further perspectives on these and other aspects of this statement.

Sincerely,

Barry S. Tindall Falls Church, Virginia 703/533-9855 c.703/231-8101

My associates and I would be happy to discuss these remarks

STATE CAPITOL
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Juneau, AK 99811-0001
907-465-3500
fax: 907-465-3532



Governor Bill Walker
STATE OF ALASKA

550 West Seventh Avenue, Suite 1700
Anchorage, AK 99501
907-269-7450
fax 907-269-7461
www.Gov.Alaska.Gov
Governor@Alaska.Gov

April 21, 2015

The Honorable Lisa Murkowski
Chairwoman
Senate Energy & Natural Resources Committee
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Senate Energy & Natural Resources Committee
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Rob Bishop
Chairman
House Natural Resources Committee
1324 Longworth House Office Bldg.
Washington, DC 20515

The Honorable Raúl Grijalva
Ranking Member
House Natural Resources Committee
1329 Longworth House Office Bldg.
Washington, DC 20515

Dear Senators Murkowski and Cantwell and Representatives Bishop and Grijalva,

The Land and Water Conservation Fund (LWCF) Act was established in 1965 to help preserve, develop and assure access to outdoor recreation facilities to strengthen the health of U.S. citizens. As you are well aware, the Act is up for reauthorization this year. I am supportive of reauthorization of the LWCF program with the modifications that follow.

While the original act indicated that 60 percent of the fund was to be available for state purposes and 40 percent for federal, a 1976 amendment revised the law so not less than 40 percent of the appropriations from the fund are to be available for federal purposes. Today, more than 80 percent of the fund routinely goes to federal agencies. LWCF has been the principal source of monies for land acquisition for outdoor recreation by four federal agencies – the National Park Service, Bureau of Land Management, Fish and Wildlife Service, and the Forest Service. Beginning in FY1998, LWCF has also been used to fund an array of other federal programs with related purposes.

Per the LWCF Act, Outer Continental Shelf (OCS) oil and gas revenues, monies derived from the sale of surplus federal real estate, and taxes on motorboat fuel are deposited into the LWCF. OCS revenues have historically comprised the overwhelming share of money used by the LWCF program.

The State of Alaska has received \$35,812,715 since the Act was adopted by Congress in 1965. On average since inception, the State has received \$716,254 annually. However, beginning in 2006, the State has received on average \$265,474 per year. Due to the reduced amount, the State now combines two years' worth of LWCF apportionments before opening a grant round for competition. Historically, LWCF funds have been spent on access and outdoor recreation projects

The Honorable Lisa Murkowski
 The Honorable Maria Cantwell
 The Honorable Rob Bishop
 The Honorable Raúl Grijalva
 April 21, 2015
 Page 2

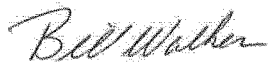
throughout Alaska, such as building or improving trails, boat-related infrastructure, campgrounds, beach access roads, wayside upgrades, and Americans with Disabilities Act (ADA) accessibility.

As noted above, I support LWCF reauthorization, but request the following modifications:

1. Reinstate the original language that allocates 60 percent of LWCF revenues for state governments and 40 percent for the federal government.
2. Continued authorization for LWCF at \$900 million annually.
3. Significantly reduce or eliminate the ability for federal agencies to purchase large tracts of land, especially in the western United States.
4. Simplify the process to convert land from recreational uses to other uses required by the Act and modify the requirement that LWCF-funded lands remain in recreational use in perpetuity and allow conversions after 20 to 40 years.
5. Require state agencies to submit a Statewide Comprehensive Outdoor Recreation Plan every ten years -- instead of every five years -- with a brief update every five years, if warranted.
6. Provide states with the authority to use all or part of the LWCF stateside funds for renovation, restoration and stewardship of lands, and outdoor recreational facilities, as well as providing states with more flexibility to use LWCF funds for administrative purposes.
7. The LWCF reauthorization and the expansion of Outer Continental Shelf oil and gas development-related revenue sharing to Alaska and other states should be passed at the same time.

I appreciate your consideration of my views on this important issue. If you or your staff would like to discuss this matter further, please do not hesitate to contact Kip Knudson, my Director of State and Federal Relations, at 202-624-5859 or kip.knudson@alaska.gov.

Sincerely,



Bill Walker
 Governor

cc: The Honorable Mark Myers, Commissioner, Alaska Department of Natural Resources
 Ed Fogels, Deputy Commissioner, Alaska Department of Natural Resources
 Kip Knudson, Director of State and Federal Relations, Office of the Governor

Washington Outdoor Alliance

Access Fund • American Alpine Club • American Whitewater • El Sendero Backcountry Ski Club
Evergreen Mountain Bike Alliance • The Mountaineers • Washington Climbers Coalition
Washington Trails Association

April 20, 2015

The Honorable Lisa Murkowski
Chairman
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Energy and Natural Resources
United States Senate
Washington, DC 20510

Dear Chairman Murkowski and Ranking Member Cantwell:

The Access Fund, American Alpine Club, American Whitewater, Evergreen Mountain Bike Alliance, The Mountaineers, Washington Climbers Coalition and Washington Trails Association - all human-powered recreation organizations in Washington State - come together as a coalition on issues relating to recreation, access and conservation. As the group Outdoor Alliance Washington, we represent more than 34,000 members who recreate on public lands.

We are writing today in light of the April 22nd hearing on the reauthorization and potential reforms to the Land and Water Conservation Fund (LWCF) to share our community's perspectives on the invaluable role the LWCF has in creating opportunities for conservation and outdoor recreation.

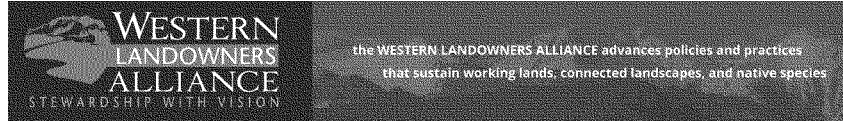
The LWCF is the only federal program dedicated to the continued conservation and access to recreation in our national parks, forests, wildlife refuges, wilderness, monuments, and other federal conservation lands, as well as creating and developing state and local parks. **We believe that the LWCF is one of our nation's most important conservation programs.** Protecting our nation's, and Washington State's, natural places so we all have access to recreate is imperative to the future of conservation and growing the outdoor recreation economy. LWCF has funded many projects that our membership enjoys, including close-in opportunities for nature, like the Mount Si Conservation Area, as well as wilderness-based projects, both very important to our human-based recreation community. If it is not reauthorized in essentially its current form, critical lands and outdoor recreation sites all across the country will be at risk.

We urge the Senate Energy and Natural Resources Committee and the House Natural Resources Committee to resist the call for counterproductive changes to LWCF as they work through the reauthorization process, and instead hold LWCF up as a shining example of an efficient and effective toolbox for every state and county in America to tap into when in order to address their community-based conservation and recreation needs and opportunities.

Sincerely,

Joe Sambataro, Northwest Regional Director, Access Fund
Eddie Espinosa, Northwest Region Manager, American Alpine Club
Thomas O'Keefe, Pacific Northwest Stewardship Director, American Whitewater
Gus Bekker, President, El Sendero Backcountry Ski Club
Glenn Glover, Executive Director, Evergreen Mountain Bike Alliance

Martinique Grigg, Executive Director, The Mountaineers
Matt Perkins, Washington Climbers Coalition
Andrea Imler, Advocacy Director, Washington Trails Association



April 17, 2015

The Honorable Lisa Murkowski
Chairwoman
Energy and Natural Resources Committee
Washington, D.C. 20510

Sen. Maria Cantwell
Ranking Member
Energy and Natural Resources Committee
United States Senate
Washington, DC 20510

CC: Members of the Energy and Natural Resources Committee

Dear Senators Murkowski and Cantwell,

The Western Landowners Alliance is a West-wide organization of landowners working to sustain healthy, resilient and economically viable working lands. We write to express our full support for the re-authorization and full funding of the Land and Water Conservation Fund (LWCF). The LWCF originated as a visionary bi-partisan effort to conserve this nation's land, water and natural resources. We share this vision. Members of the Western Landowners Alliance represent diverse political views and interests but find solid common ground in embracing our responsibility to endow future generations with the resources and opportunities from which we presently benefit.

The LWCF provides important funding for the conservation of working lands, large landscapes and support of rural economies. The Rocky Mountain Front is just one example of where LWCF has been applied to the working landscape. The conservation of this 12,130-acre, multi-generational family ranch through a purchased easement also accomplished protection on 17 miles of riparian habitat along the Teton River. LWCF dollars were matched in excess of 2:1 by private funds, and will be recycled into the local economy through the continuation of this traditional agricultural operation.

The Forest Legacy program, funded by the LWCF, enables forest landowners to keep these working lands in the family, maintain healthy watersheds that benefit their communities, and develop forest resources upon which future generations will depend.

The LWCF has also helped our rural communities provide parks and recreational opportunities, preserve important historic, cultural sites, conserve natural resources areas, and supported our state and local economies. We want our children to experience and benefit from these lands as we have and without the LWCF, many of these opportunities would already have been lost.

We urge your support in the reauthorization and full funding for the LWCF.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lesli Allison', with a stylized flourish at the end.

Lesli Allison
Executive Director



WILLAMETTE VALLEY
VINEYARDS

September 2, 2014 .

Senator Ron Wyden
U. S. Senate
223 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Wyden,

I wanted to take a moment to applaud your efforts on the issue of reauthorizing the Land and Water Conservation Fund (LWCF). This piece of legislation, now 50 years old, has made a significant positive impact on the state of Oregon, conserving some of the most spectacular, most biologically diverse areas of our state and enhancing recreational access for all Oregonians.

As someone who makes his livelihood from the earth – and provides jobs to more than 120 Oregonians, I consider myself a steward of the land. Taking good care of our environment today, and for generations to come, is the right thing to do. Monies from LWCF have protected waterways like Tenmile Creek and Upper Klamath Lake, expanded forest conservation efforts, and built wonderful parks and recreation facilities in communities across the state. Simply put, Oregon would be diminished without the funds channeled here by LWCF.

And as a businessman, I am well aware that LWCF monies also drive economic development. City and county parks mean construction and maintenance jobs, as well as serve as draws for tourists, which, in turn, creates more jobs. I have no doubt that LWCF funds have contributed to significant economic development in some of the areas of Oregon hardest hit by the recent economic downturn.

In closing, Senator, I am truly grateful for your leadership on the Land and Water Conservation Fund, and urge you to continue to lead the fight to preserve some of our most treasured landscapes.

Sincerely,

Jim Bernau
Founder
Willamette Valley Vineyards



To whom it may concern:

This last week, I had the pleasure of visiting my Oregon Senators DC offices as a volunteer with The Vet Voice Foundation to thank and encourage Sen. Wyden and Sen. Merkley to reauthorize and fully fund the Land and Water Conservation Fund. I'd like to share with you how important spending time outdoors is to me.

As a native Oregonian the outdoors have always been a place of refuge, a sanctuary, a place where time stands still and my soul can find peace and healing.

When I was in Iraq I always dreamed of returning to beautiful Oregon again and reminisced of times I spent with my family hiking, camping and fishing. I wanted nothing more than be surrounded by its towering evergreens, hike Saddle Mountain, Climb Smith Rock, and fish for brook trout in a seclude lake in the Cascades with my uncles.

Since I was a young boy the outdoors have been a great part of my life and many of my brothers in uniform that I served with. Its home, it's what we swore to defend and swore to each other we would return to. Our National and State Parks give us the freedom and opportunity to come together, to remove ourselves from the complications of PTSD in normal day life and find simplicity; the opportunity to share our experiences and further build healthy relationships outside a combat zone.

When we deploy overseas it's not just us, but also the people next to us, our families, our friends and neighbors, our communities. When we suffered they suffered with us. The outdoors is not just a healing opportunity for soldiers, but for us to reunite with the ones we love and find healing with them.

I know that you are committed to continuing this wonderful program for future generations. Please encourage your fellow Senate members to vote to reauthorize the LWCF. Help protect our nations beautiful rich outdoors. Please continue the program so that our sons and daughters returning from the hardships of war can continue to have a place of healing and to help promote a healthy and vibrant outdoors for all Americans to enjoy.

Very Respectfully,

1LT. Matthew W. Zedwick

Silver Star Recipient, Oregon Army National Guard

Astoria, Oregon